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NOTE.

The Plates to illustrate the late Mr. William Dobie's paper on "The Skelmorlie Aisle and Monuments at Largs" (No. VII.), viz.—'*Exterior View of Skelmorlie Aisle*,' '*Details of Monument*,' '*Monument of the Boyles of Kelburn and the Brisbane Vault*,' which were unfinished at date of issue of Volume VI., are now given after page 234 in the present volume.

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PREFACE

The archives of the Royal Burgh of Irvine, unreservedly placed by the Town Council at the disposal of the Association for the purposes of this publication, have been found so full of interesting material that, combined with documents from other and collateral sources, it has been rendered necessary to extend the issue to a second Volume. Even then, however, much that is of interest will remain unpublished, which, it is hoped, may appear in some future issue of the Association.

The present Volume, containing the *Burgh Charters and Writs* and *Church Grants*, together with the article on the Seagate Castle and the exploration of its ruins by Mr. Galloway, having been now completed, it has been thought better to proceed with its distribution to the Members without further delay; the second Volume, containing *Miscellaneous Muniments, Council Book* and *Excerpts from the Burgh Accounts*, to follow at an early date.

It gives me much pleasure here to acknowledge my great obligation to Dr. Dickson of H.M.'s Register House; and also to the Rev. Walter MacLeod, under whose superintendence the transcriptions, translations, and revision of the proofs of the various manuscripts, the facsimiles and woodcuts, have been so carefully and ably carried out. My thanks are also due to Mr. Paterson of Knowehead, ex-Provost, and to Mr. Dickie, Town Clerk of the Burgh, for their most willing assistance.

JOHN SHEDDEN-DOBIE,
Hon. Sec. for Cuninghame.

Morishill, *May* 1890.

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INTRODUCTION

It is much to be regretted that the earlier records of Irvine have not been preserved. No original document of date prior to the reign of Robert I. is now extant in the archives of the Burgh. Regarding its more ancient history gleaned from other sources, there can be no question that as a town it was known at a very early period. Roger de Hoveden, who died about 1201, mentions "Irewin in Cuninghame," as a place of note in 1184, and the historian Chalmers states that the town, and the castle under the protection of which it arose, were in existence before the castle and town of Ayr were founded.[1] This statement, however, seems open to doubt, as the Charter of William the Lion erecting the town of Ayr into a royal burgh, and which is dated between the years 1202 and 1207, speaks of his "new castle at Ayr;" and that an old town and castle existed previous to 1197, is highly probable from the words in the *Chronicle of Melrose*,[2] "Factum est novum oppidum inter Don et Ar."

In the year 1205 an agreement is entered into at Irvine betwixt the burgesses and whole community thereof and Brice of Eglunstone, by which the burgesses granted certain lands to the said Brice, he paying therefor, in the parish church of Irvine, ten shillings of sterlings yearly in name of feu-ferme.[3] In a dispute between the Abbacies of Dryburgh and Kilwinning regarding their rights to the church of Lauder, decree is pronounced by the judges appointed by Pope Honorius III. at Irvine in 1222.[4] In the Chartulary of Paisley, the case of the Abbot against Gilbert the son of Samuel of Renfrew, for withholding and alienating the lands of Monachkeneran, belonging to the church of Kilpatrick, is very fully recorded.

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[1] *Caledonia*, vol. iii. p. 545.

[2] *Ayr and Wigton Arch. Assoc.* Vol. for 1883, Introduction; and *Chron. de Mailros*, p. 103.

[3] "Burgh Charters and Writs," No. 1.

[4] *Ayr and Wigton Arch. Assoc.*, Vol. I. pp. 134-5.

The trial took place in the year 1233, the twentieth year of Alexander II., and the Papal commissioners sat in the parish church of Irvine.[1] In the year 1260, an agreement entered into between the burgesses and Sir Godfrey de Ross anent the occupation of the lands of Hormissok and others is dated at Irvine.[2] It may here be remarked that four members of the Balliol family (the name contracted to "Ball") appear to have been present at the arrangement. In July 1297, the English army under Percy advanced from Ayr towards Irvine, and on the 7th and 9th of that month a treaty was concluded, the original of which is to be found in the Public Record Office, London,[3] by which certain of the Scottish leaders submitted to the English. The records of this treaty have been printed in full by Rymer and Stevenson.[4]

The town and castle of Irvine being within the lordship of Cuninghame, which, in the twelfth century, along with the lordships of Largs and Lauderdail, had been granted by David I. to Hugh de Morville, Great Constable of Scotland, probably arose under the ownership of that powerful family, or some of its only less potent vassals. In 1196 these territories passed from the de Morvilles through failure of heirs-male, and in the following century, descending through female succession, were held by various families, among whom were the Balliols. On the accession of Robert the Bruce to the throne the greater portion of these possessions fell by forfeiture to the Crown, and were granted by Bruce to sundry of his faithful adherents. The lordship of Largs was conferred by him upon his son-in-law, Walter, the Steward of Scotland.[5] He also granted to his grandson, Robert Stewart, son and heir of Walter, the Steward of Scotland, for homage and service, all his lands of Cuninghame, as well within burgh as without, to have and hold the same without any reservation, in free barony, with all the privileges thereto belonging,—"Doing therefor to us and our heirs the service of three Knights in our common army, and suits of court at our court of Ayr when it shall happen." This charter is undated.[6] As there was no other burgh town in the district of Cuninghame at that period, the words, "as well within burgh as without," could only apply to Irvine, the chief town and seat of the barony court. On 12th

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[1] *Reg. Passelet.* p. 166; see also *Scotch Legal Antiquities*, by Cosmo Innes, pp. 214-221.

[2] "Burgh Charters and Writs," No. 2.

[3] *Hist. Doc. Scot.* (Record Ed., 1870), vol. ii. p. 192.

[4] Rymer's *Fœdera* (Hague Ed.), vol. i. part ii. p. 182.

[5] *Caledonia*, vol. iii. p. 562.

[6] *Reg. Mag. Sig. Rot. I.*, No. 54. *Vide* Appendix, page 233, *infra*.

May 1322, Bruce granted a Charter in favour of the *burgesses of Irvine*, in which he refers to and confirms a charter granted by Alexander II., freeing and relieving the said burgesses from all toll and custom on their burgess goods throughout his whole kingdom, and that they by his present charter shall henceforth be altogether quit and for ever free from the toll they had been wont to pay in "*our burgh of Ayr*." The terms used relative to Ayr and Irvine seemed to infer that the latter had not been erected into a royal burgh when these charters were granted.

On the death of David II. without issue, the succession to the crown devolved upon Robert the Steward, who was crowned at Scoon, on 22d February 1371, as Robert II. On 8th April 1372, in the second year of his reign, he grants the charter in favour of the burgh of Irvine, in which, in the first place, and following upon an inquest made at his command by his bailie of Cuninghame, he settles in favour of Irvine the dispute pending between Irvine and Ayr as to their respective rights of traffic and merchandise within the baronies of Cuninghame and Largs. He then proceeds to bestow upon Irvine and burgesses thereof the privileges of a royal burgh, and that they should hold and possess the same as a free burgh, with all liberties and privileges, as freely, fully, and honourably as any burgh within his kingdom, exempting them from any toll or other servitude, and granting them every liberty of guild that other burgesses whatsoever of his kingdom hitherto have enjoyed. This charter will be found in the original, and translated, as No. 4 of the "Burgh Charters and Writs" of this volume, and a facsimile of the charter is also there inserted. The foregoing charter is followed on 14th February 1372-3 by a precept or letter of protection, addressed by the King to the chamberlain and other officers of the Crown, as well as provosts and bailies of burghs, and all whom it may concern, commanding them to respect and preserve the liberties and privileges which had been recognised as belonging to "*our* burgh of Irvine" by his previous charter or confirmation. This document appears *in extenso* and in facsimile as No. 5 of "Burgh Charters and Writs." It has been thought necessary to be thus particular, as the last-mentioned document, ever since the publication of Robertson's *Topographical Description of Cuninghame* in 1820, in which the contents of the charter chest of the burgh are enumerated, had been looked upon as a precept by Robert the Bruce, and it was only when submitted to the critical inspection of Dr. Dickson, the learned curator of the Historical Department of H.M.'s Register House, that the suspected mistake was confirmed, and the document in question pronounced, without doubt or hesitation, to be the precept or letter of protection by Robert II.

The Seagate Castle, the ruins of which are fully described and depicted in the article by Mr. Galloway, would seem to have passed into the possession of Sir Hugh de Eglintoun, along with the office of bailie of the Barony of Cuninghame, granted to him by Robert the Steward in 1366.[1] Sir Hugh, who married the Steward's half-sister, Egidia, had an only child, Elizabeth, who married John Montgomerie of Egleshame, to whom the estates and possessions eventually passed, and whose descendants afterwards became Earls of Eglintoun. The Seagate Castle is the only remnant of the ancient civil and ecclesiastical buildings in the burgh which has survived the ruthless march of so-called modern improvement, all the others having been entirely cleared away.

The Town, or Council House, or Tolbuith, as it is variously designated, the site for which was granted by Robert II. in 1386, and on which the original building was no doubt soon afterwards erected, underwent many repairs and enlargements at various subsequent periods, and remained an interesting landmark of the history of the royal burgh, till, in the year 1861, it was completely removed. With the exception of the royal arms, which crumbled to pieces when being taken down, one of the supporters, the lion, only remaining entire, the sculptured stones formerly adorning the walls of the venerable building were preserved, and will be found inserted in the wall of the vestibule and over the door of the Council-room of the modern Town House. The one in the vestibule, bearing the sceptre and sword saltire-wise, surmounted by a crown, with the legend, rather illegible, and the first word all but obliterated, ". . . Lyra triplex cui diadema triplex," formerly occupied a position on the wall of the Court-room over the bench of Justice. The other, bearing on an ornamented shield the arms of the burgh, viz. a lion crowned sejant affronté, in his dexter paw a sword proper, and in his sinister a sceptre, the shield supported by nude figures resting on foliated scroll work, and holding the ends of an escroll inscribed with the motto, "Tandem bona causa triumphat," —occupied a position over the street entrance to the old Council Chamber. Zincographs of these stones will be found as tail-pieces to "Burgh Muniments," section I. of this volume and section II. of volume Second.

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[1] *Memorials of the Montgomeries*, vol. ii. p. 6.

The oldest Seal, and the only specimen in the archives of the burgh found entire, is that appended to the Letters of Bailliary to Stephen Tran and others, under date 6th October 1552, No. 4 of "Miscellaneous Muniments," Vol. II., where a woodcut of the seal will also be found. On one side is represented the Virgin and Child, with the legend—*Sigillum commune burgi de Erwyne;* on the other, a lion sejant guardant chained to a tree, and his extended dexter paw grasping it, another tree being placed behind him, the legend on which is unfortunately illegible. That this device of the lion represents the more ancient blazon of the burgh arms is corroborated by Timothy Pont in the beginning of the following century, who, writing of Irvine, ends his notice by saying, "the toun bears for its arms, argent, a lion chained gules." Turning to the Lyon office we find from a letter of Mr. Anderson, Lyon Clerk-Depute, in October 1850, that the burgh arms were probably entered in the old Register of all Armes, lost or destroyed by fire, circa 1672, but they do not appear in the new Register authorised to be made by Act of Parliament, 2 Charles II. In an old MS. volume in the office, however, Mr. Anderson adds, the following blazon occurs: "Irvine—Argent, a lyon sejant affronté gules, armed and langued azure, in his dexter paw a sword proper, hilted and pommelled or, in the sinister a sceptre of the last." This blazon coincides with the sculptured arms on the stone of the old Townhouse, the legend on which may refer to the restoration of King Charles II., while that on the other stone—"Threefold praise to him who wears the triple crown"—may allude to his title of King of Great Britain, France, and Ireland. The devices in both cases are similar to those on some of the coins of the period (vide *Coinage of Scotland*, by R. W. Cochran-Patrick, vol. ii. plates ix. x. xiv.), and seem to offer a clue to the time when these sculptured stones were executed. In Laing's *Catalogue of Scottish Seals* (vol. ii. p. 218), three seals of the burgh are described. The first and larger, bearing the device of the Virgin and Child, and, on the counter, the lion sejant affronté, is considered by him as probably not earlier than the seventeenth century. The other and smaller seals, bearing a lion sejant guardant, crowned, between two trees, are of very coarse workmanship and apparently modern. The matrices of those seals, the two first mentioned in silver, the latter of brass, are preserved in the repositories of the Town Council.

The Bell, formerly hung in the Town House or Tolbuith steeple, has also been preserved and hung in the tower of the modern edifice. It bears this inscription: "Tolbuith bell of the burgh of Irvin 1637;" and is still rung to summon the magistrates to the Council meetings and the lieges to the Justice of Peace Courts.

Near to the south end of the Town House stood what has been described as a "magnificent cross." There is no record of the date of its erection, but it was taken down in 1694, and the materials composing it used in the construction of the buildings for the Meal Market in 1695.[1] The ports or gates of the burgh at the town head and town end were ordered to be taken down in 1756; and the Tron or ancient weighing-house, to the north of the Town House, was removed in 1866.

The Church of Irvine, which, before the Reformation, belonged to the monks of Kilwinning, is of very ancient date, probably coeval with the town. From Dempster we learn that St. Inan, a most holy confessor and celebrated doctor of Christianity, died at Irvine, of which place he was patron. He is said to have flourished in 839, his festival being the 18th of August O. S.[2] The cell of this holy man may therefore have been the origin of the church, but in later times his name as patron appears to have been superseded, and the church of Irvine was dedicated to the B. V. M. This is shown in the confirmation by James II., in 1451, of the grant by Lady Alicia Campbell, in which the church is called the "parish church of St. Mary the Virgin of Irvine."[3] St. Inan has not even an altar dedicated to him in the church, unless under the name of St. Ninian, and Lady-day, or Mary-mass, has long been held as the festival day of the burgh.[4]

The church became enriched by various endowments, *vide* "Church Grants," the earliest of which, extant in the archives of the burgh, is dated in 1323-4. From these the church would appear gradually to have assumed an extent and importance very much superior to the ordinary run of parochial churches. Besides the chaplains for the ordinary service of the church it had endowments for chaplains and chaplainries at the altars of St. Katherine and St. Ninian; the altar of St. Michael in the new aisle of the blessed Virgin Mary; the altar of St. Peter the Apostle in the north aisle; the altar of St. Conwal the Confessor, St. Stephen and St. Sebastian the martyrs in the south aisle; the altar of the blessed Virgin Mary, the altar of St. Salvator and St. Thomas the Martyr in the aisle built on the north side of the nave; and the altar of St. John the Baptist, Christopher the Martyr, and Ninian the Pontiff.

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[1] *New Stat. Acc.*, vol. "Ayrshire," p. 625; and Minute of Council, 14th Aug. 1694.

[2] *Hist. Eccles. Gent. Scot.*, p. 379.

[3] "Church Grants," No. 7.

[4] Act James VI. 1578.

Near to the church, but detached from it, stood a chapel also dedicated to the Virgin. In the grant by Lady Alicia Campbell of 2d January 1451 endowing the chaplain thereof, it is described as "situated on the bank of the Water of Irvine near the church of the burgh." In the same grant she endows another chaplain to serve at the altar of St. Michael in the parish church, of which chaplainries the bailies and community of Irvine are to be patrons after her decease—the chaplains to be continually resident and to minister personally. They were also to be of good moral character. In November 1506 a further endowment is made by Rankin Broun to the chaplain ministering at the chapel of the most blessed Virgin Mary "de Banko," or "Marie de Bank," as it is subsequently called in a confirmation of a presentation to the chaplainry by the bailies of Irvine.

In regard to these grants it is here thought worthy of notice that, in the grant of Thomas, called Baxter, in 1323-4, the names of the proprietors of lands bounding the lands granted, are for the most part designed by their christian names only, *e.g.*—William son of Henry son of the vicar, Isabella daughter of Roger son of Fergus, James of the Crag son and heir of John of the Crag, etc., — and as the Baxters' seal is little known he borrows the seal of Adam, abbot of Kilwinning, and the common seal of the burgh, which are affixed to the document. While, in the grant in 1426 by William, canon of Glasgow and vicar of Dundonald, the names of the contiguous proprietors are given in modern fashion, both christian name and surname. In the instrument of sasine proceeding on the grant of Lady Alicia Campbell to the altar of St. Michael, a procession is described, in which St. Michael's image was led to the tenements granted, and invested with the symbols of heritable state and sasine. Some of the granters have thought it necessary to curb the evil tendencies of the clerics by the terrors of dismissal. While, on the other hand, it is pleasant to notice that a certain number of the older and feebler inhabitants are provided with bread, meat, and ale on the anniversary of the donor's decease.

The fabric of the church, probably a simple oblong originally, after the addition of the three aisles mentioned above, must have assumed a picturesque exterior, and the many altar-pieces have added much to the appearance and interest of its interior. It is much to be regretted that no drawings of the church or chapel of any kind, nor any description of either, except of the most meagre character, are known to exist. Pont, writing in 1604-8, calls it "a fair church." Bishop Pococke, who made a tour through Scotland in 1760,[1] in one of his letters to his sister, thus describes his visit to Irvine as he proceeded from Kilwinning:—"I went two miles to Irvine, and having crossed the river, observed a tumulus and some works that were much like a Roman camp. Irvine is situated between two rivers, and a third falls in very near them. It is a pretty good harbour, and they have a great trade in fishing, and exporting coal to Ireland called Scotch coal. They make Scotch blue, and have a great manufactory of ropes for shipping. There is something singular in the doors and window-cases of the castle or old ruined mansion-house of the Earl of Eglinton, to whose ancestors the lands of Kilwinning Abbey were granted and erected into a lordship. They are adorned with a kind of twisted pilastre and other members, the ornaments of which are very delicate [two drawings of them are given by the Bishop]. Here was a monastery of Carmelites founded by the laird of Fullarton. The church, which now serves the parish, seems to be very old, with small windows, turned with two arches. I could get no information whether this was the church of the monastery."[2]

The steeple or tower of the church having become unsafe it was taken down in 1721, and the bell removed and hung in the Tolbuith steeple, where it continued to be rung for church services. It bore the inscription, "Blessed is they that hear the joyful sound," but no date or maker's name. During the rejoicing at the passing of the Reform Bill the bell was cracked, and having been recast was used for secular purposes till it met with a similar misfortune at the Queen's Jubilee, and was thereafter sold for old metal. The church itself was entirely taken down to make room for the present edifice, erected in 1774. James Gibb, the beadle of the church, who died in 1851, aged 77, had it from his father, the previous beadle, that the old church was built in the form of a cross, and had narrow lancet windows. An interesting relic of the interior decorations was found in taking down an old dwelling-house, 75 High Street, where it had been stowed away in a closet on the second floor. It consists of an oaken panelling, measuring (exclusive of the modern frame added for its protection) 3 ft. 8½ inches in length by 1 ft. 8 inches in height, and would seem to have formed part of a church pew, or front of a gallery. Along its upper rail an inscription in Greek extends in two lines, and being translated, is as follows:—"Blessed are they who hear the word of God and keep it." The panelling is divided into three compartments; the central bearing on an escutcheon the arms of Blair, flanked by the initials I. B., the other divisions bearing respectively the date "January 2," and "Anno domino 1649." It is supposed to be commemorative of James Blair, provost of Irvine, whose name disappears from the records of the burgh about that date.[1] It is now carefully preserved by Mr. Paterson of Knowehead, who has kindly furnished the photograph from which is taken the illustration appended as a tail-piece to "Church Grants."

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[1] MSS. in British Museum.

[2] Article in *Glasgow Herald*, 3d November 1884.

The Convent of the Carmelite Friars, said to have been founded by Fullarton of Fullarton in the fourteenth century, was situated on the southern side of the river, near to the end of the bridge;[2] but even the foundations of the conventual establishment have long since disappeared. As it was thus in the parish of Dundonald and district of Kyle, it was not included in the ancient liberties of the burgh. The confraternity had, however, acquired by endowment properties both in the town and parish of Irvine. These, along with the church property in the burgh, at the Reformation were confiscated, and granted in 1572 by James VI. for the Foundation of the King's School of Irvine (*vide* "Church Grants," Nos. 14 and 18). The King's School is pointed out on the right-hand side of the street leading to the church. It was rebuilt and enlarged in 1750, and now consists of an oblong building of one story, divided into two equal compartments by an entrance vestibule, over which is erected a bell turret. But teachers and scholars have long since deserted the King's School for the modern Academy opened in 1816.

The Bridge of Irvine is of ancient date, though nothing regarding its origin has been found in the archives of the burgh. It is mentioned by the Earl of Bothwell, Great Admiral of Scotland, in the document appointing Hugh Earl of Eglintoun his Depute-Admiral for Cuninghame, dated 18th August 1533;[3] and in 1604-8 Pont describes it as "a fair stone bridge." In the "Miscellaneous Muniments" of the burgh, No. 51, we hear of it as being repaired and partly rebuilt in 1667, at a cost of £1000; and on 15th January 1748 a contract is entered into for building the bridge anew. The result was the bridge, widened in 1827, and further improved according to modern ideas and requirements in 1888.

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[1] "Miscellaneous Muniments," Vol. II.

[2] Pont's *Cuninghame*, by Dobie, p. 215.

[3] *Memorials of Montgomeries*, vol. ii. p. 120.

The Harbour, the principal source of the burgh's prosperity, has undergone various vicissitudes and changes. In ancient times the shipping came close up to the Seagate Castle. From the accumulation of sandbanks, brought up by high winds and heavy seas, the old arrangements underwent many and complete changes, affecting not only the position of the port and estuary of the rivers Irvine and Garnock, but, judging from old maps, even the whole line of coast between Irvine and Saltcoats. Notwithstanding that the Burgh had acquired part of the lands of Marres farther down the river, "for lowsing and laidnyng their schippis boittis and merchandice," so unsatisfactory did the burgesses consider their harbour accommodation that, in 1596, on their supplication, a royal commission was appointed to inquire into the fitness of a particular creek in the island of Little Cumbrae to be a new harbour for the burgh. Although, after inspection, the commissioners gave in a favourable report of the creek and an estimate of the amount which would be required to complete the same, viz. £4773 : 6 : 8, and the Privy Council had even granted to the provost, bailies, council, and community of Irvine a right to exact duties on goods passing up and down the Clyde for the space of five years in order to recoup themselves for their expenditure, the "commodious" creek in the Little Cumbrae seems to have been given up, and the next we hear of the harbour is about one hundred years afterwards, when, in 1695, the burgh had a grant from King and Parliament of an impost to repair their bridge and the harbour nearer home.

THE SEAGATE CASTLE.

The Seagate Castle takes its name from the ancient *Via Marina*, or Sea-Gait, on the north side of which it is situated. Although now no longer of its former importance, the Seagate ranks as one of the oldest thoroughfares in Irvine, and down to the sixteenth or seventeenth century formed the principal means of communication between the town and its harbour, which lay at the foot of this street, the state of the river being such as to admit of vessels coming up to within a short distance of the bridge. The gradual accumulation of blowing sandbanks, bars, and dunes, completely altered these ancient and more primitive arrangements, and in 1570 a new harbour was commenced farther down the river. Timothy Pont however mentions that the old harbour was still in existence, but in a decayed and useless state, in 1606.

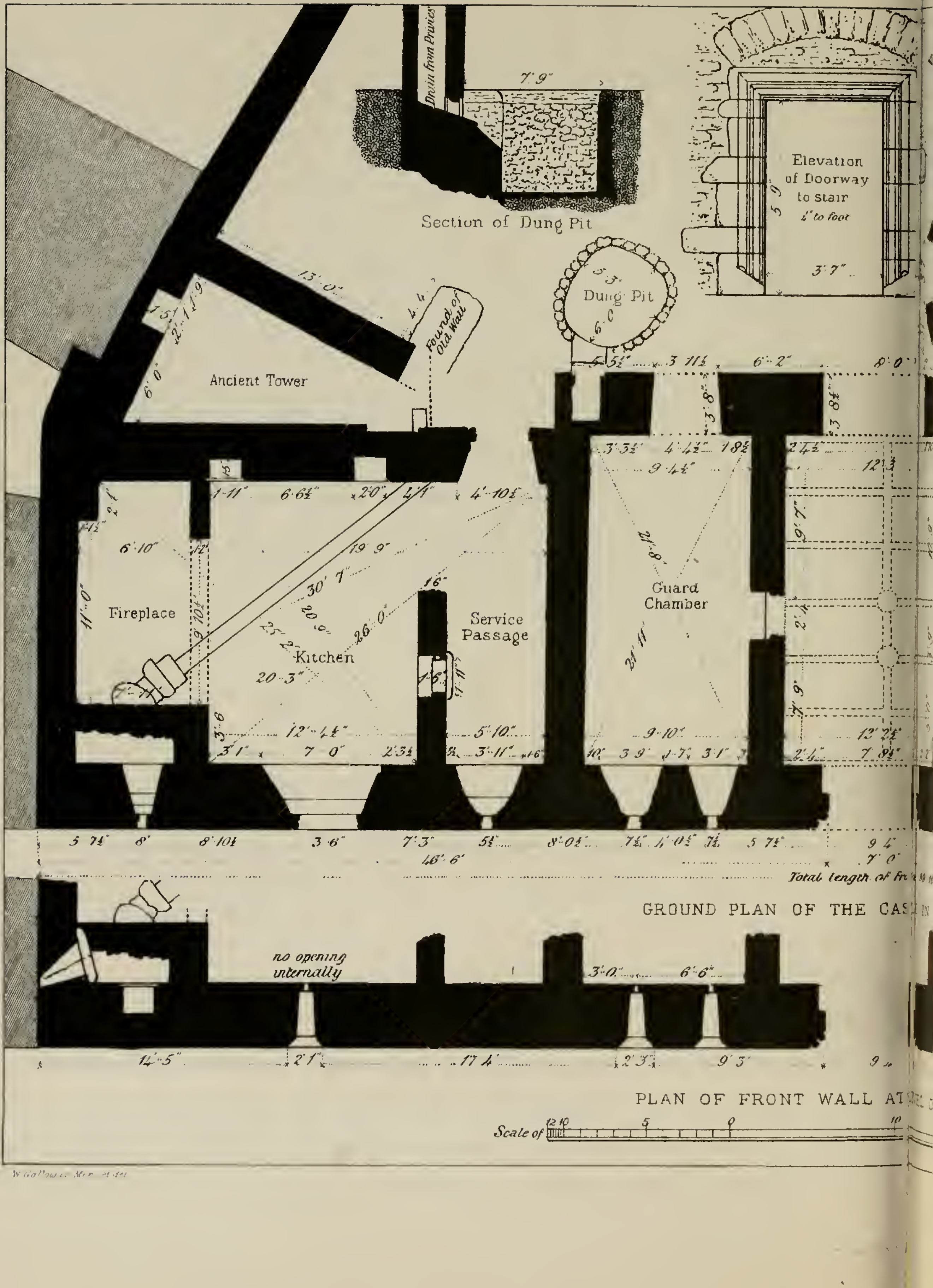
Although in so far conforming to the exigencies of street architecture as to present to the Seagate an unbroken line of frontage, the Castle is an extremely picturesque mass of building, and yet towers above its humbler neighbours, ruined and dismantled though it be, with no small measure of rugged strength and feudal dignity. In point of date it is a composite building. By much the greater part of it was erected in the latter part of the sixteenth century, by Hugh third Earl of Eglinton, as the initials and armorial bearings of the Earl and his second Countess Lady Agnes Drummond, carved on bosses in the vaulted entrance, clearly testify. Incorporated with this later building are the remains of a much older structure, and especially of a tower at the north-west angle, to be afterwards more particularly described. In accordance with a custom extensively prevalent amongst the Scottish nobles, it was occupied after its enlargement as a town residence by the Earls or members of the Eglinton family. This imposing pile latterly fell into a state of dilapidation and decay, it being only a reminiscence, handed down by some of the old residenters, that part of the roof remained until the close of last century. After it ceased to be inhabited the Castle acquired a very evil repute as the haunt of smugglers and thieves. It was shunned after nightfall, and if any property went amissing it was the first place to be searched; and there are parties still living who remember seeing the smugglers' "wee still" sitting in the kitchen fireplace. In a less clandestine way the town's people made free with the old building, without stint using it as a quarry, until reduced to the state in which we now see it—a mere wreck of former greatness, with its eastern wing swept entirely away to the vaulting, the beautiful cornice of the main building, the large heraldic panellings, the lintels and jambs of fireplaces, doors, and windows, with all the serviceable stone conveniently to be got at, ruthlessly despoiled.

As a check to this state of matters, Earl Hugh (the 12th Earl) made extensive repairs on the building about 1810, blocking up the windows, doors, etc. This would no doubt check the nefarious practices first mentioned, but being easily accessible from the rear the spoliation of the building still went on.

In 1839 there was a great storm of wind, in consequence of which a considerable downfall of stones into the courtyard took place.

When I first went to examine the Castle in 1883, entry had to be got by forcing the massive gate, which had not been opened for many years. Although well secured in front, the dilapidated walls admitted of easy entry at the back, and the vaults, kitchen, and other apartments, were found gorged with stones, soil, and rubbish of all kinds, the refuse chiefly of the adjoining gardens. By orders from the Earl of Eglinton this was all removed, and it took about a month's driving to clear away the debris.

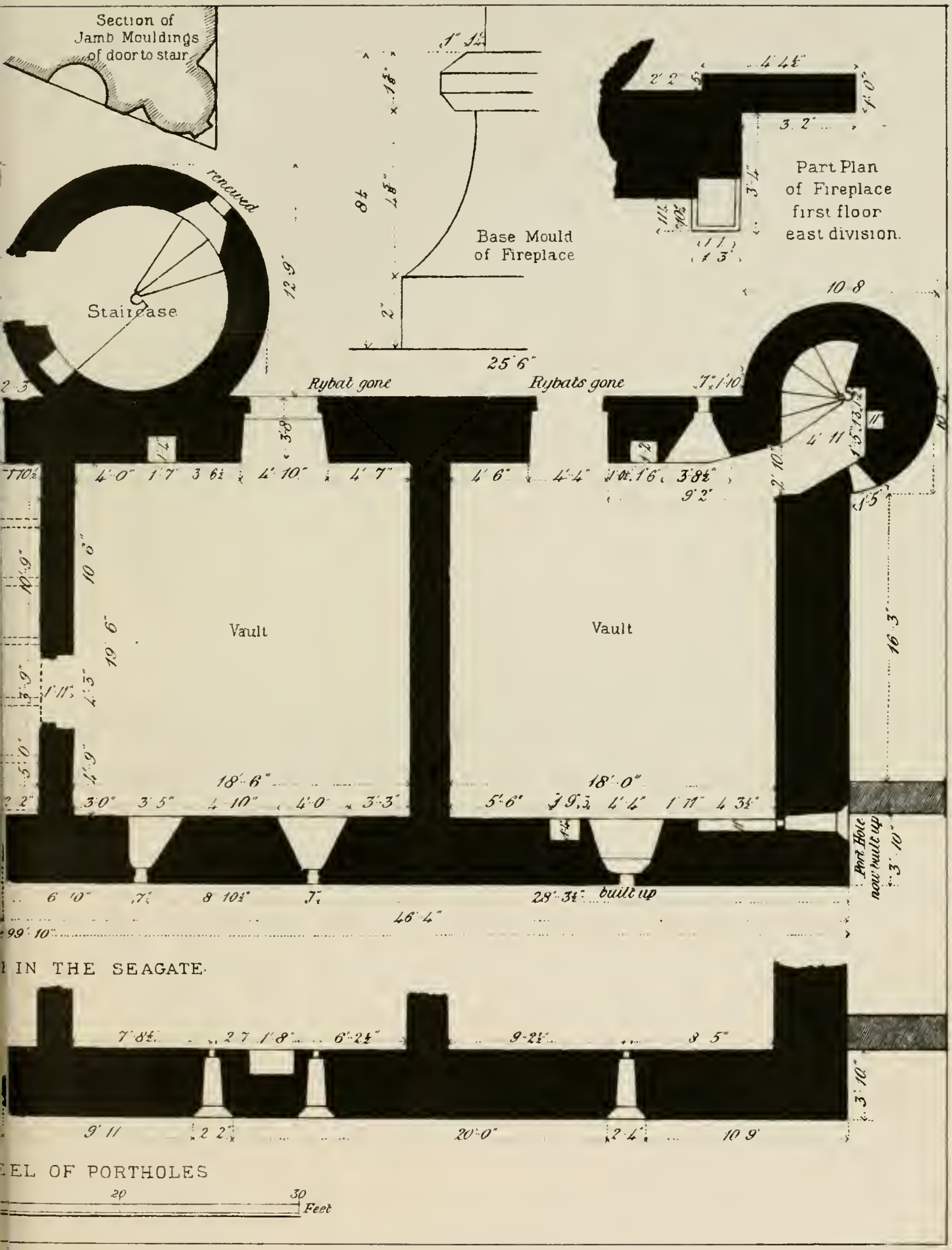
It may be mentioned that on each recurring Marymas Fair day the carters, returning from their parade on the racecourse, when passing up the Seagate, range themselves before the old Castle, and play "Auld Lang Syne."


Drain from Privies
7' 9"
Section of Dung Pit
Elevation of Doorway to stair ½" to foot
5' 9"
3' 7"
Dung Pit
5' 3"
6' 0"
13' 0"
Found of Old Wall
Ancient Tower
Fireplace
Kitchen
Service Passage
Guard Chamber
30' 7"
26' 0"
20' 3"
19' 9"
12' 4½"
9' 10"
46' 6"
Total length of fr
no opening internally
14' 5"
2' 1"
17' 4"
2' 3"
9' 3"
Scale of

GROUND PLAN OF THE CAS

PLAN OF FRONT WALL AT

W Galloway Mon et del


Section of
Jamb Mouldings
of door to stair
renewed
Staircase
12.9"
1' 1½"
1'8"
1'8"
2"
25'6"
Base Mould
of Fireplace
4' 4½"
2' 2
5½
1'0"
3. 2"
3' 4"
11½
10½
11
1 3'
Part Plan
of Fireplace
first floor
east division.
10' 8
Rybat gone
Rybats gone
7"/1'10
3'8
4'0"
1'7
3 6½
4' 10"
4' 7"
4' 6"
4'4"
1'0'.1'6
3'8½"
9'2"
4' 11
2' 10
1'5
10' 6"
19' 6"
Vault
Vault
16' 3"
1'11
4' 5"
4' 9"
18' 6"
18' 0"
3'0"
3' 5"
4' 10"
4'0"
3'3"
5'6"
19.3
4' 4"
1' 11"
4 3½"
Port Hole
now built up
3' 10"
6' 10"
7
8' 10½"
7
28' 3½"
built up
46' 4"
99' 10"
7' 8½
2 7
1'8"
6' 2½"
9' 2½"
8' 5"
3' 10"
9' 11
2 2"
20'0"
2' 4"
10' 9
20
30
Feet

IN THE SEAGATE

EL OF PORTHOLES

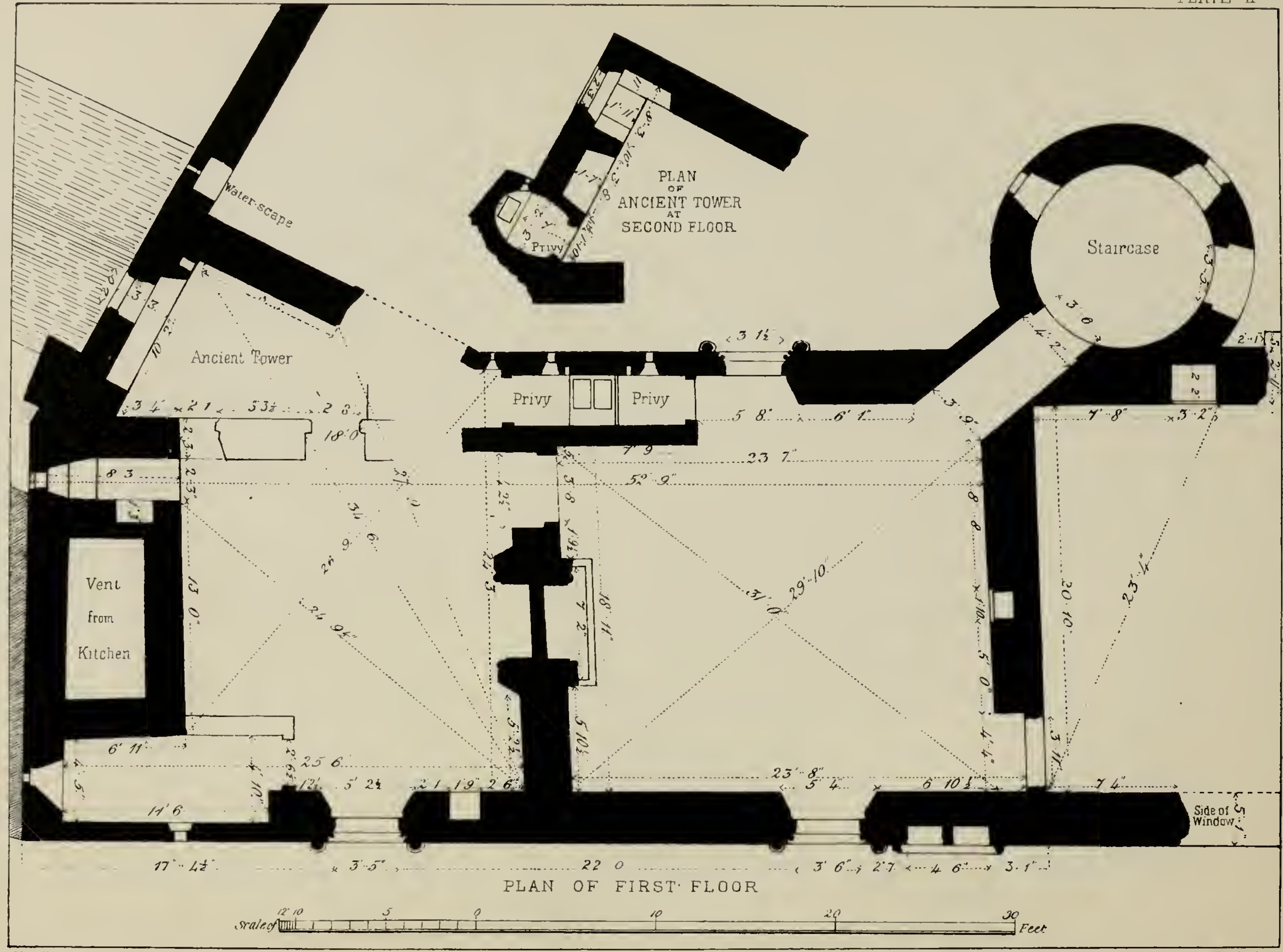
DESCRIPTION OF THE PLATES.

PLATE I.—GROUND-PLAN.

THE general arrangement is very simple. A long range of building about 28 feet in breadth, and having the first story vaulted throughout, follows without a break the line of the street. At the west end a much narrower range of building runs northward at an acute angle, and in the gusset formed by the two ranges rises the ancient tower. About 56 feet in length of the front range has been carried up to the full height of three stories, the rest has not exceeded two stories. Nearly in the centre of the street range is the entrance gateway and vaulted passage, leading through another strong gate, opening directly into the courtyard to the rear. Immediately to the left, on entering the outer gate, is the door entering into a narrow apartment, in all probability forming the guard chamber. It is lit from the front by a small window 2 feet high by 7½ inches wide, and beneath it a widely splayed shothole. The door has been hung on the north side, but the crooks are gone, and for its better security when closed there are a couple of bolt holes, and a vertical groove 1 foot 6 inches long and 2 inches square. On the south side there are two 3-inch deep bolt holes near the top, another of the same depth well down, and above it another a foot deep by 1¾ inch square. Opposite to this door, in the entrance passage, is the door to the vault in the east wing. The original lintel had been torn away, and with it apparently had come down the third vaulting rib on the east side, the present lintel and rib having been renewed by Earl Hugh when the Castle was repaired in 1810.

On the ground floor this east wing is divided into two large vaults, with small windows to the front, and archways, now sadly despoiled, opening to the courtyard. At the north-east angle, the lower part of a large projecting turnpike stair still remains, giving access from the vault to the floor above. A still larger turnpike stair, about 10 feet in diameter internally, and 15 feet over all, projecting into the courtyard, immediately to the right of the main entrance, formed the principal access to the first floor, entry being obtained by a good-sized doorway decorated with bolection mouldings of the usual type.

The western part of the front range is entirely occupied by the kitchen and its connected conveniences. On the side next the west gable is the large fireplace, about 11 feet in width between the jambs, nearly 4 feet 6 inches from floor to spring and 1 foot 11 inches rise of arch; from top of arch to vault is 5 feet 6 inches, giving a total height of 12 feet, which forms the general height of the vaulting throughout. From this fireplace an enormous vent goes right up through the various floors, diminishing as it ascends, with a small window high up on the west gable. Within this vent on the north side of the fireplace, and 7 feet 6 inches above the spring of the arch, an oaken beam had been laid across for some purpose or other. When I saw it only a few inches protruded from the wall, and on having it taken out it proved to be about 5 or 6 inches square, the inserted extremity completely decayed, and the projecting end had evidently been sawn across. This fireplace not occupying the full width of the kitchen, a blank space necessarily occurs at its south side. If the reader will look at the south elevation, Plate III., it will be found that there is a small window near the west end of the building. There being no traceable access to the space presumably lighted by it, a sense of keen interest was awakened in those minutely acquainted with the various outs and ins of the castle. To solve the mystery an opening large enough to creep through was broken out in the corner of the fireplace. The space was found half-filled with small-sized stones flung in by boys through the window which had not been blocked up like the others. The labour was not in vain however, all the lower part of the walls on the south and west being clearly distinguishable, from the differing masonry, as being part of the older structure, on which the sixteenth century work had been superimposed. Whether in inserting the window the builders had forgotten the fireplace we do not know. One thing is clear—it being inconvenient to have the fireplace the full width of the vault, the superfluous space was built up, and with its neatly-formed window left as an enigma to a future generation. The kitchen window, which has been sadly despoiled, must evidently have been divided by a central mullion into two lights, and is protected by a shothole against possible aggression. On the opposite side, close to the fireplace, is an aumbry, giblet-checked all round, 1 foot 10 inches wide, 2 feet high, and 1 foot 5 inches deep. Immediately to the east of the kitchen there is a trance or passage the full width of the vault, with a service opening into the kitchen, very carefully formed and moulded, 1 foot 11 inches wide by 1 foot 9 inches high. There also runs diagonally across the kitchen from the south side of the fireplace to the door, the track of a drain, which seems to have been regularly built at one time but is now very much dilapidated. Exterior to the kitchen, on the north, is a triangular-shaped cellar, which is really the underpart of the ancient tower. Of the range of buildings beyond this nothing remains, save the back wall, running northward about 60 feet. Just outside the archway leading to the kitchen there was accidentally discovered a regularly built midden or dung-pit, sunk into the ground, and into which a drain, built vertically in the wall, was led from the conveniences above.


PLAN OF ANCIENT TOWER AT SECOND FLOOR
Privy
Staircase
Water-scape
Ancient Tower
Privy
Privy
Vent from Kitchen
Side of Window
Scale of Feet
12 10
5
0
10
20
30

PLAN OF FIRST FLOOR

W. Galloway, Mens. et del.

G. Waterston & Sons Edin. Lith.

PLATE II.—PLAN OF FIRST FLOOR.

The plan here is limited to the western part of the building, as the east wing levelled to the vaults shows nothing save an expanse of green turf. Formerly accessible by a short passage from the large turnpike, owing to the partial destruction of the stair the first floor is now only to be reached by a ladder, or by clambering over the ruins at the old tower. It is divided into two large apartments opening *en suite*, of which the largest measures about 23 feet 8 inches by 22 feet. It is lit by two large and highly decorated windows, the one looking out on the Seagate and the other on the courtyard. A fireplace with stone fender appears on the west side, but it is sadly dilapidated, and with the lintel gone is now built up. On the opposite side is a small aumbry, and, in the corner near it, a door of communication with the east wing, of which all that remains on this floor is another aumbry and lower part of a fireplace in the fragment of the north wall.

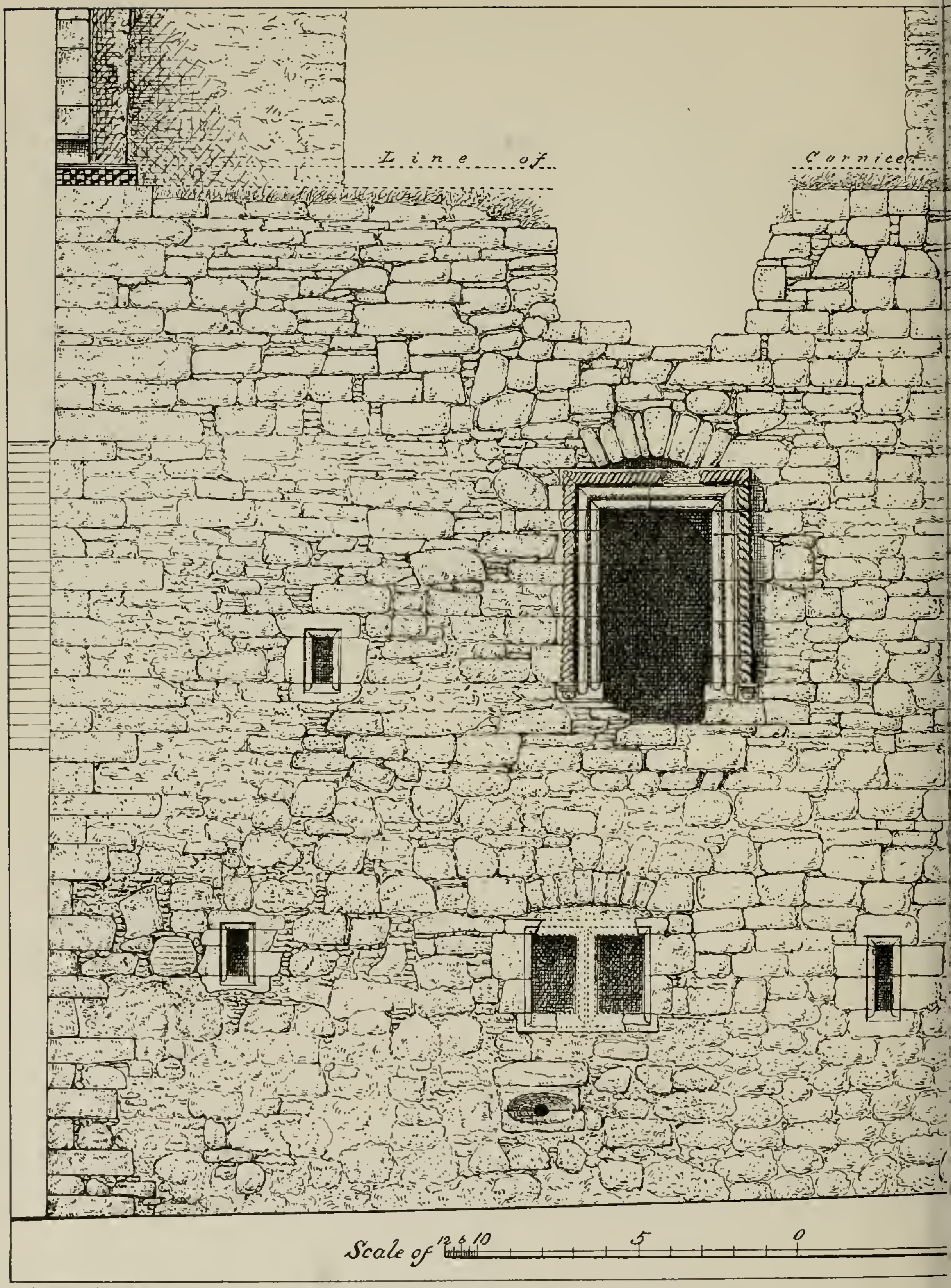
Owing to the encroachment of the ancient tower and vent from kitchen, the western apartment has been only about 18 feet 6 inches square, with a closet or a small apartment taken off it at the south-west corner. It has been lit by one large window opening on the Seagate, and has a fireplace, dilapidated and built up like the other, and *dos-a-dos* with it. An interesting and pretty complete example of the sanitary arrangements of the period will be noticed in the conveniences to the rear of these apartments, placed back to back, and communicating with the vertical drain or shaft already mentioned. The fittings are formed chiefly of thin slabs of stone.

Another curious contrivance, deserving of notice, occurs in the large turnpike, close to where it joins the east wing. At this point a doorway will be observed, opening outwards and off the stair, but leading apparently to nothing. It cannot have been for communication with the east wing, for at this point the wall there is corbelled out for a fireplace and vent, and there are no indications in the doorway itself of any connection, either in stone or timber. There is only one purpose, it appears to me, which a large doorway in such an unwonted position can have served, viz. for the conveyance, by means of a hoist, of bulky articles from below to the first floor of the main building. An ingenious way of evading the tortuosity of a turnpike, and it will be noticed that the access from the doorway to the passage is very direct.

The timbers being entirely gone, the second floor is accessible only by ladder. The general arrangement has been however the same as the first, but the fireplaces which are in a much more perfect state than those below have been placed in the outside gables, a place for that on the west being found against the kitchen vent.

PLATE III.—THE SOUTH ELEVATION.

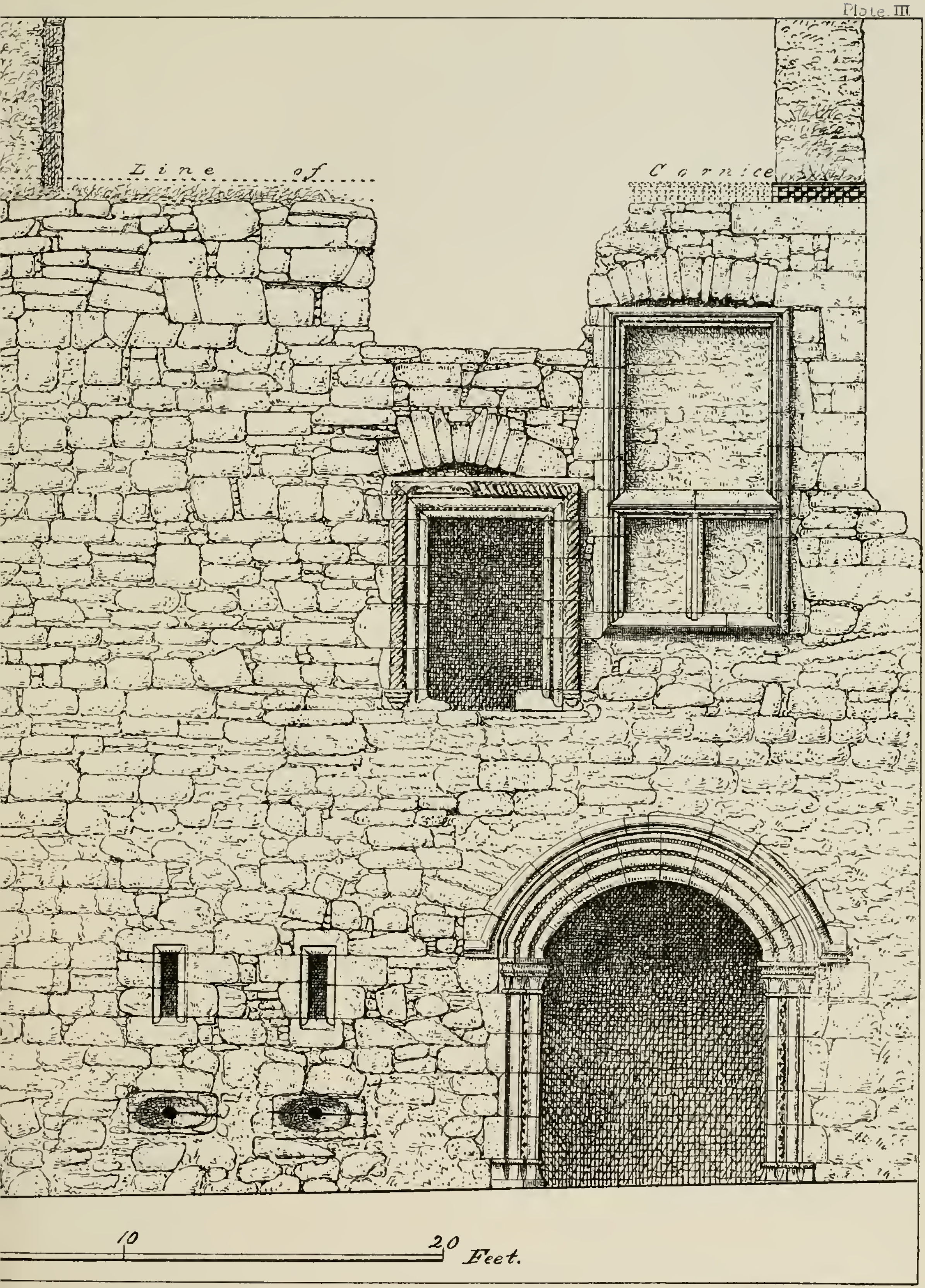
This plate shows the entire frontage to the Seagate, with exception of the partially demolished east wing, of which only the vaulted portion remains. The plate thus comprises all the three-story part of the building, measuring about 56 feet in length and 33 feet in total height, from the ground at the west end to the top of the cornice. Of this cornice only a few feet remain at either end, the rest having been ruthlessly despoiled, together with the two, no doubt, very handsome dormer windows, of which nothing now remains save unseemly gaps. Happily there still exists, as the principal feature of this front, the large entrance gateway, more minutely illustrated in Plate VI.; also the two very handsome windows with cable-mould ornament and quaint little corbels below, with the moulded panelling, once filled with armorial bearings, illustrated in Plate IV. In curious contrast with the care bestowed on the ornamental work will be noticed the very irregular character of the masonry, picturesque enough in one sense, yet presenting a jumble of all sorts and sizes of stones, as they came from the quarry. The same feature runs through all the sixteenth century work, externally and internally presenting a marked distinction from the older work where it does occur.


Line of Cornice
Scale of 12 6 10 5 0

SOUTH

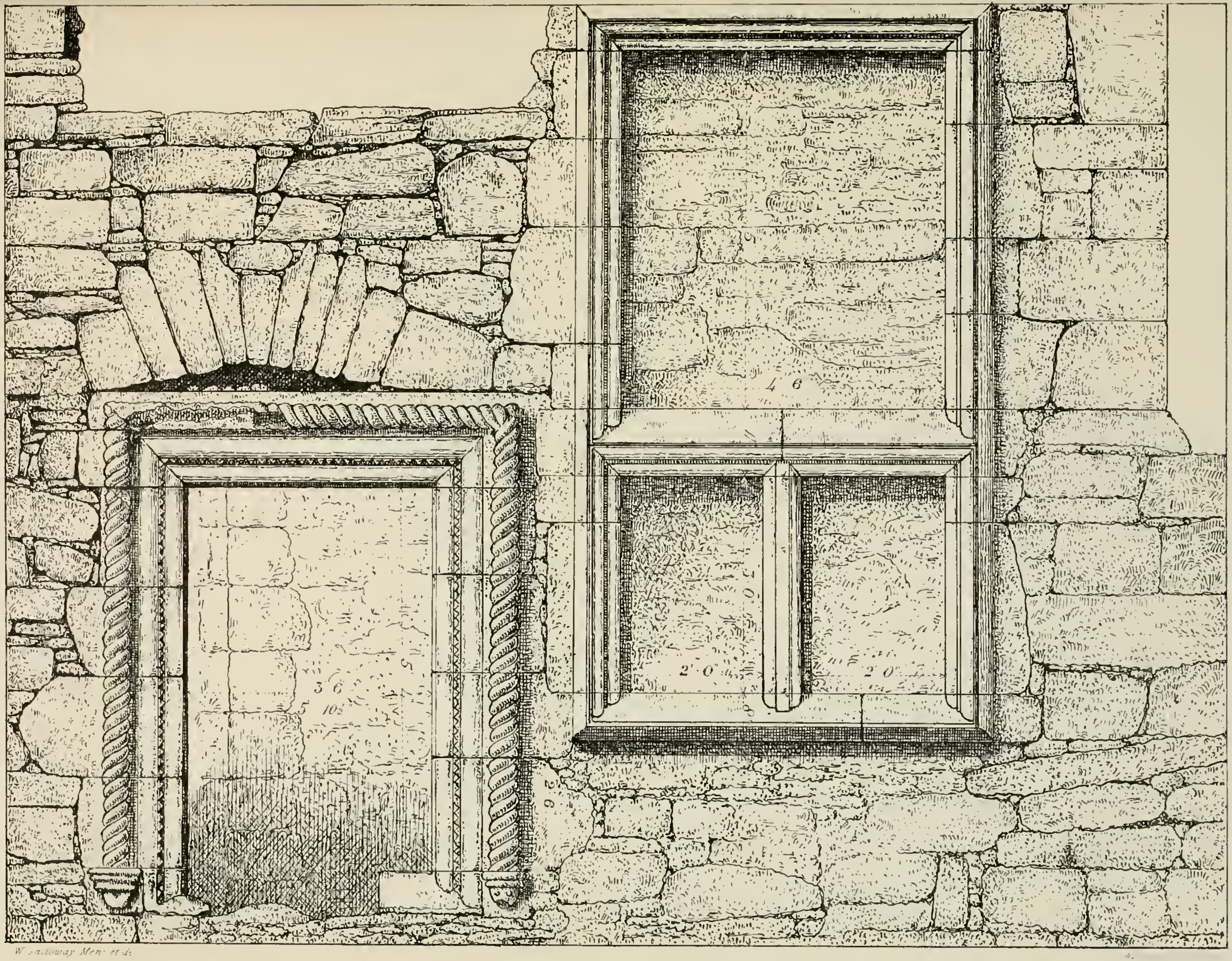
AYR & GALLOWA

Plate. III.


Line of Cornice
10
20 Feet.

ATION

ssoc^{n} 1888.


4 6
2' 0"
2' 0"
8
3 6
5 10½
5
2 6

W Galloway Mens et d:

ELEVATION OF LARGE WINDOW AND PANNELLING OVER ENTRANCE GATEWAY

Scale - half inch to the foot

AYR & GALLOWAY ARCHL ASSOCN 1888

PLATE V

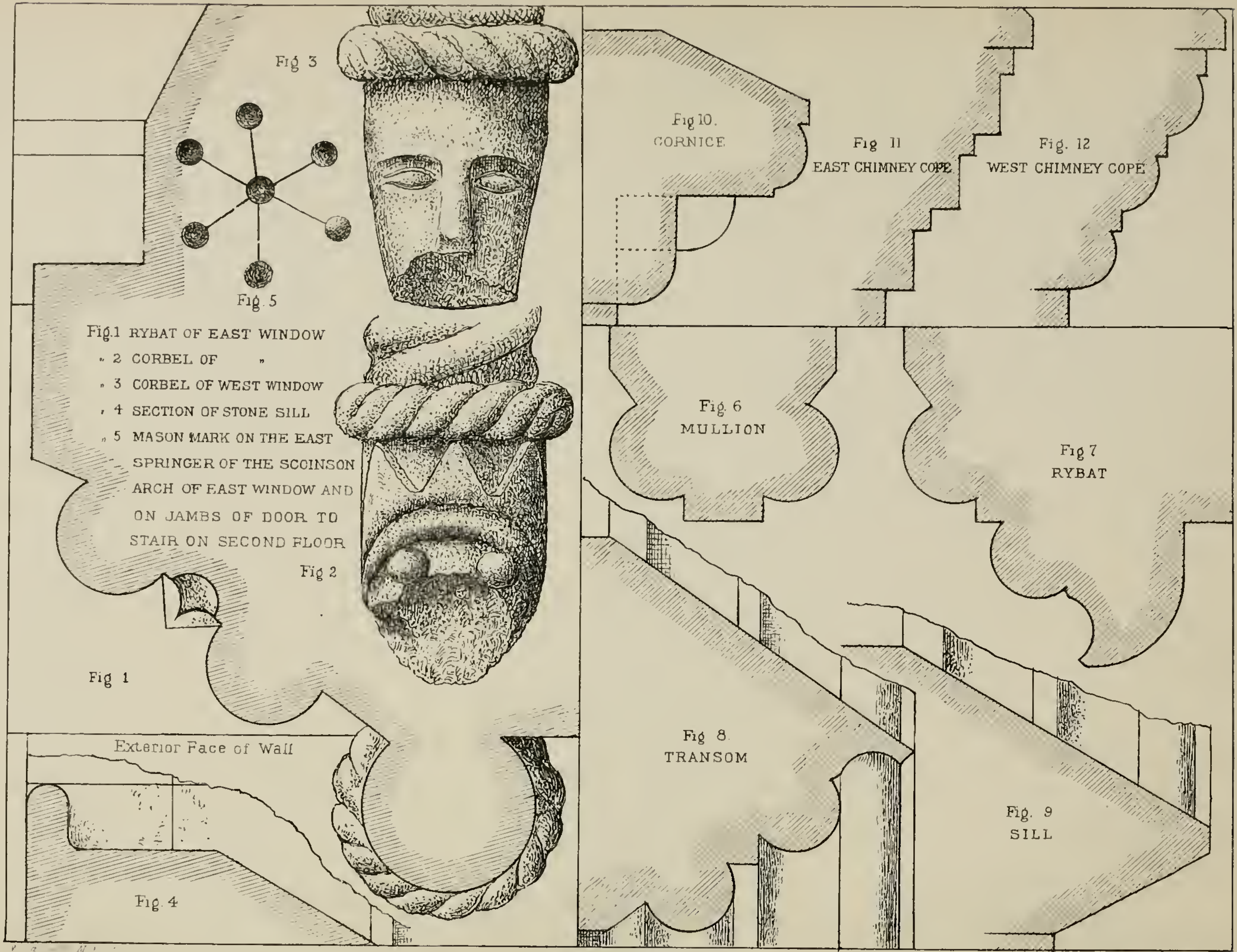


Fig 3
Fig. 5
Fig.1 RYBAT OF EAST WINDOW
" 2 CORBEL OF "
" 3 CORBEL OF WEST WINDOW
" 4 SECTION OF STONE SILL
" 5 MASON MARK ON THE EAST SPRINGER OF THE SCOINSON ARCH OF EAST WINDOW AND ON JAMBS OF DOOR TO STAIR ON SECOND FLOOR
Fig 2
Fig 1
Exterior Face of Wall
Fig. 4
Fig 10. CORNICE
Fig 11 EAST CHIMNEY COPE
Fig. 12 WEST CHIMNEY COPE
Fig. 6 MULLION
Fig 7 RYBAT
Fig 8. TRANSOM
Fig. 9 SILL

Figs 1 to 5 DETAILS OF LARGE WINDOWS, FIRST FLOOR. Figs 6 to 9, DETAILS OF PANNELLING.
Figs 10 to 12 CORNICE AND CHIMNEY COPES.
one fourth scale Fig. 5 one half scale.

PLATES IV. AND V.—FIRST-FLOOR WINDOWS AND PANELLING OVER ENTRANCE GATEWAY, WITH DETAILS.

Of the large and ornate windows represented, only three remain, viz. two looking out on the Seagate, and one on the Courtyard in the rear. Those in the east wing, with the dormers, may have been similarly decorated, but unfortunately no trace remains. The front windows are 5 feet 4 inches high, by about 3 feet 6 inches wide; that in the rear being 3 feet 1½ inch. The principal decoration has been a large cable-moulding, terminating in grotesque little corbels, of which the two represented are the most perfect; within this decoration, two large roll mouldings, with a small neatly carved variety of the tooth-ornament, completes the rybat. Round the upper part of these windows a groove or raglin is run for a fixed frame, and at the height of about 2 feet 3 inches above the sill there is a check for the transom bar, about 3½ or 4 inches deep. The space below this bar would doubtless be fitted in with opening lights for air, this framework being protected on the exterior by eight upright stanchions. A curious mason mark, represented on Plate V., appears in the scoinson arch of east window and the door to stair on second floor. It consists of six neatly formed pits, symmetrically arranged round a central one, and connected with it by thin lines.

It may pretty safely be assumed that the large panelling over the Entrance Gateway was formerly filled in with armorial bearings, but in the entire absence of the originals, how these were disposed can only now be guessed at. The large panel, measuring about 5 feet by 4 feet 6 inches, would in all probability contain the combined Eglinton and Montgomerie arms, with supporters, etc., and notwithstanding the dissolution of the Earl's marriage with Lady Jean Hamilton in 1562, owing to consanguinity, it is quite possible that the lower panels, measuring 3 feet high by 2 feet in breadth, contained the family bearings of the two Countesses.

PLATE VI.—THE ENTRANCE GATEWAY.

This very handsome doorway in its style partakes of an ecclesiastical rather than a baronial character. This is due partly to its mouldings, but still more to the elaborate use made of the *quatre-feuille* or dog-tooth ornament. Extraordinary ideas have been entertained regarding this gateway by earlier writers. Robertson tells us that "In this old castle there remains still, quite entire, one of the most perfect specimens of the Saxon or Norman round arch that is perhaps now to be met with in Britain. It is erected over the principal gateway into the house."[1]

The error arises from the mistaken notion that the "round arch," whether dubbed "Saxon" or "Norman," was limited to early times, until it came to be superseded by the pointed or Gothic arch. This is true with regard to the mediæval styles as practised in England, the circular or one-centred arch being finally discarded in the twelfth century. In Scotland the case was very different. Down to the time of the Wars of Independence architectural practice in Scotland adhered very closely to that of England. The complete interruption of friendly relationships, and the fierce animosities engendered during that eventful period, produced a marked change on the entire after-history of Scottish architecture. One of its most characteristic features was the retention or frequent employment of the round arch, even in ecclesiastical buildings, so long as the Gothic style remained in use. To find it employed then, in the latter half of the sixteenth century, in a building like the Seagate Castle, excites no surprise. Very far, however, from being a "round," *i.e.* a semicircular arch, such as was used in Norman times, the arch now under consideration is a comparatively flat, segmental arch slightly stilted at the spring. It is just such an arch as in England, under similar circumstances, would have been a depressed, four-centred, or Tudor arch. Being in Scotland, with a wide opening and restricted rise, it forms a curious compromise between the round and the depressed arch.

In its style this doorway is a very creditable example of sixteenth century Gothic as practised in Scotland. It shows the decadence of the style of course, and the mouldings are heavy and devoid of grace and delicacy, but the elaborate use of the *quatre-feuille* recalls the better phases of an expiring art. On either side are two columns, with filleted shafts, a large tooth-ornament being introduced between them. The arch mouldings are in three orders, each composed of a large plain roll, with small-sized tooth-ornaments intervening, and the entire arch is enclosed with a large hood-moulding.

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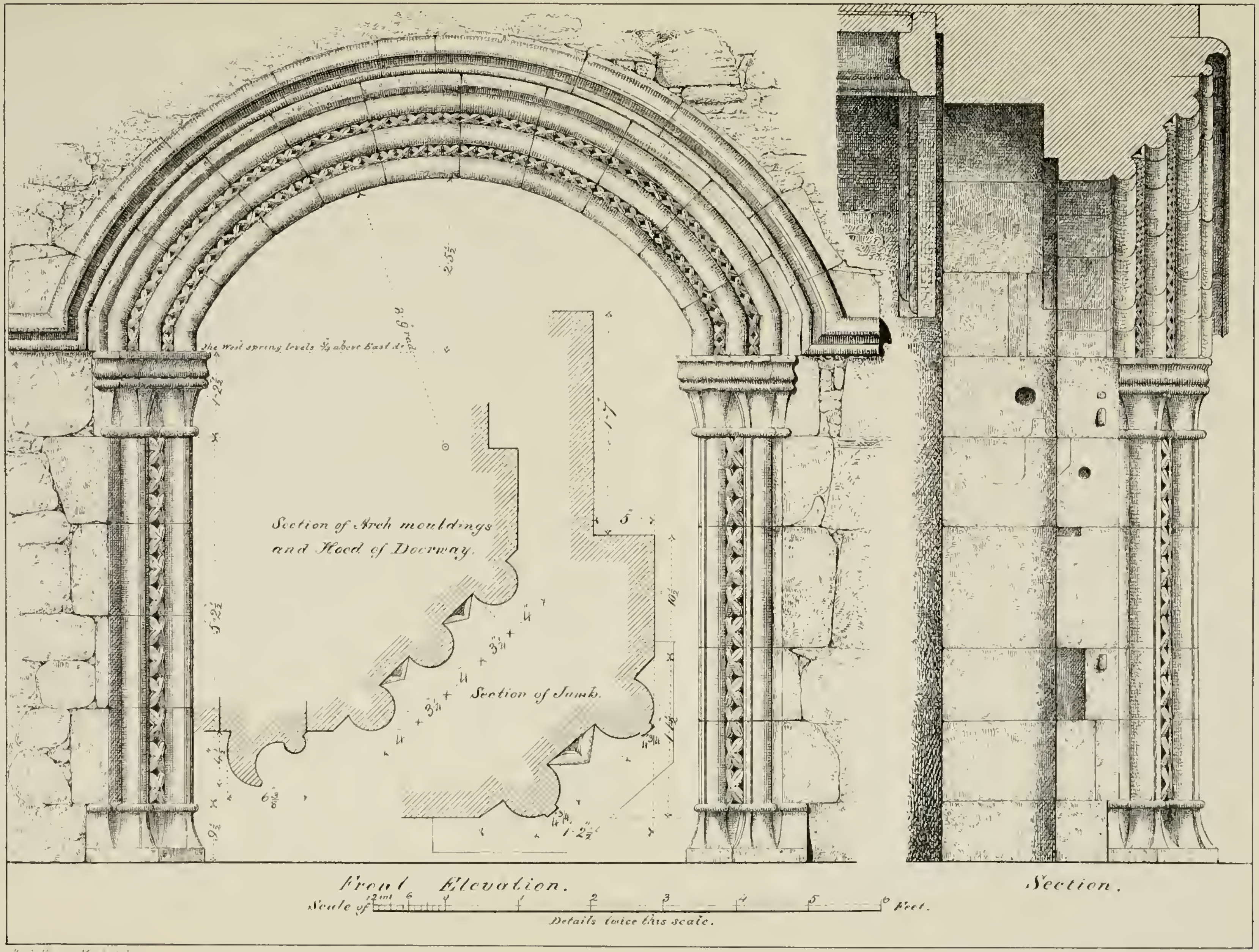
[1] *Topo. Descripn. of Cunninghame*, etc., Irvine, 1820, p. 422.

Plate VI


The West spring levels ½ above East do.
2·5½
3·9 rad.
1·2½
5·2½
4½
9½
6⅜
Section of Arch mouldings
and Hood of Doorway.
Section of Jamb.
5
1·7
10½
4
3¼
4
3¼
4
1·4½
4¾
1·2½
4¾
Front Elevation.
Section.
Scale of 12 ins 6 0 1 2 3 4 5 6 Feet.
Details twice this scale.
W. Galloway Mens. et fe.
G. Waterston & Sons Photo Lith

THE ENTRANCE GATEWAY.

AYR & GALLOWAY ARCHL ASSOCN 1878

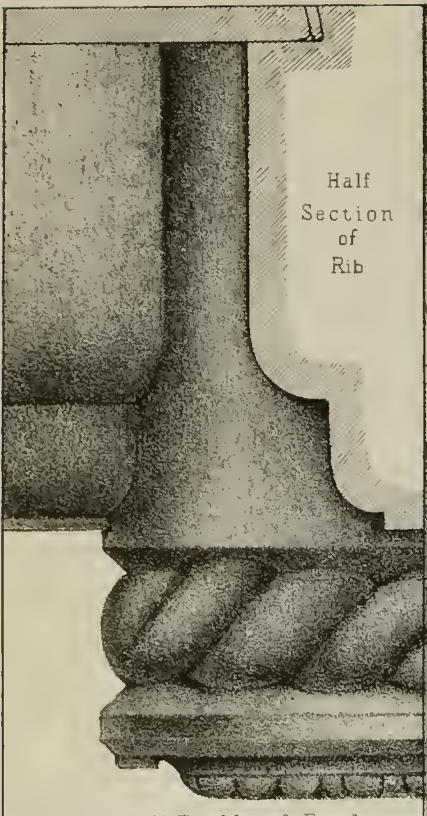

Half
Section
of
Rib

Fig. 3. Half Profile of Fig 1

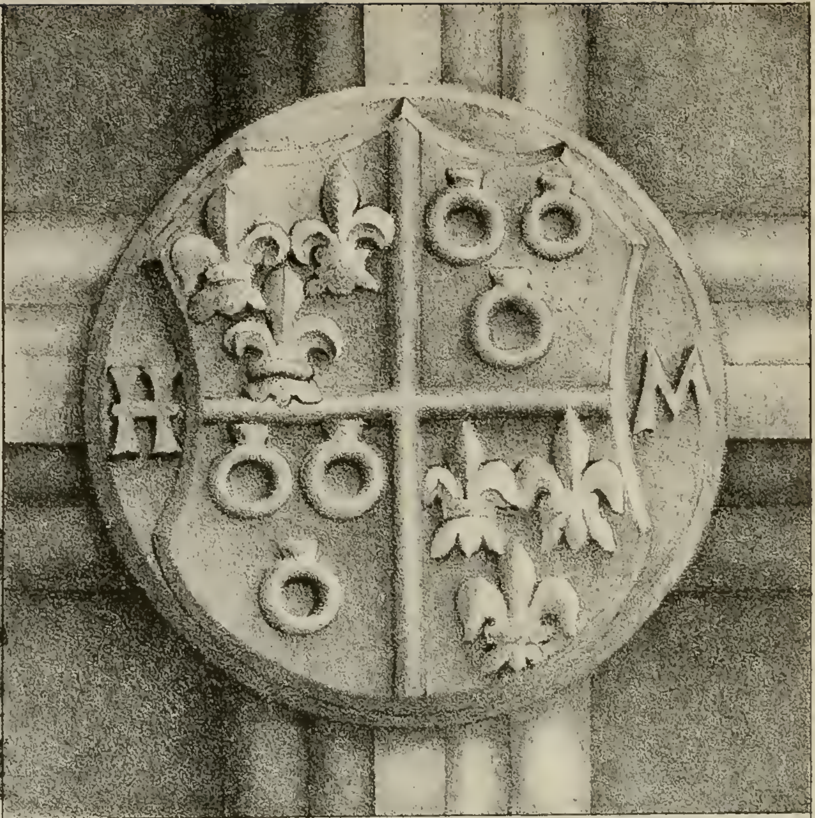


Fig. 1. Arms of Hugh, 3rd Earl of Eglinton

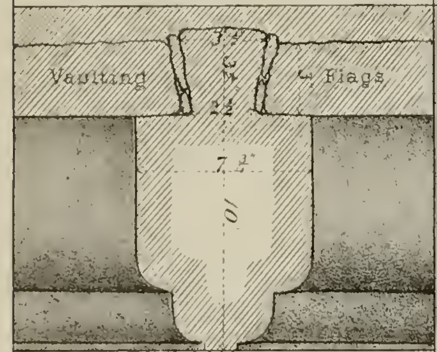

Vaulting
& Flags
3½
3
2½
7½"
10

Fig 4 Section of Rib &c showing construction ⅛

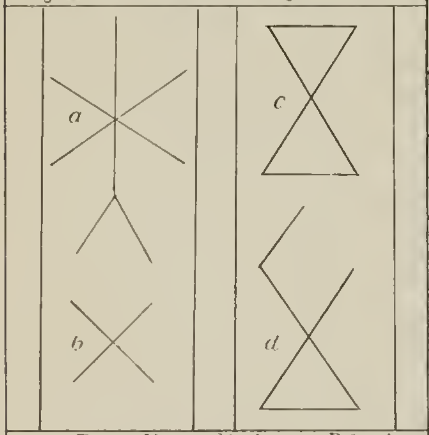


Fig 5. Mason Marks on Ribs ½ Sc

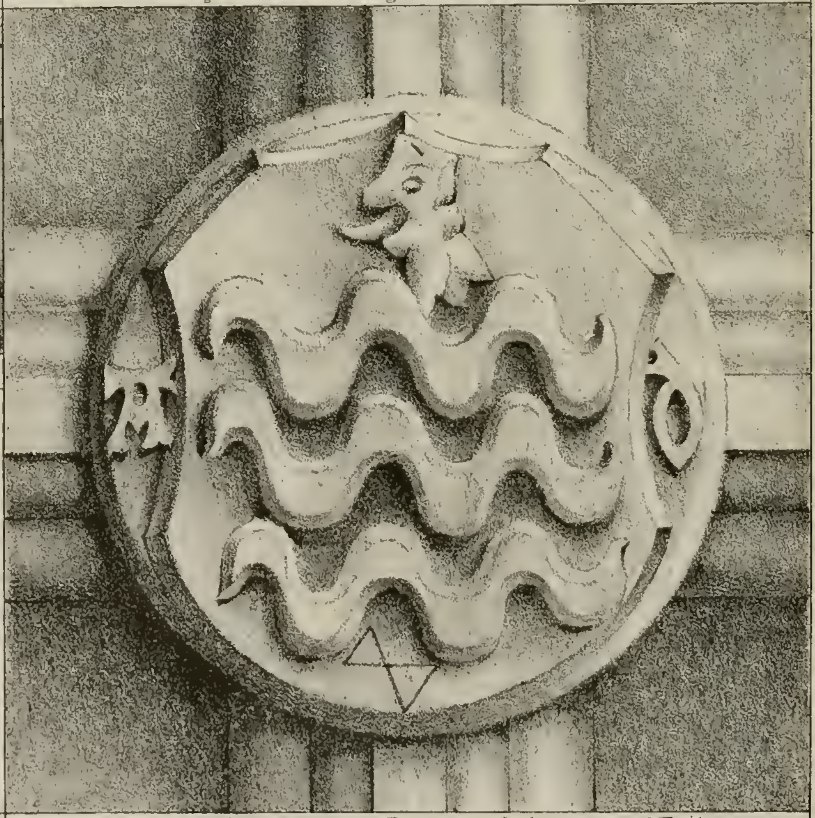


Fig. 2. Arms of Lady Agnes Drummond, Countess of Eglinton

ARMORIAL BEARINGS ON KEYSTONES OF VAULTING OVER ENTRANCE-WAY OF

one fourth - scale

PLATE VII.—DETAILS OF VAULTING OVER ENTRANCE-WAY.

The entrance-way shows a very good example of rib-vaulting. At two of the principal intersections there are bosses decorated with the rope-moulding, and carrying shields, one bearing the coats of Eglinton and Montgomery quarterly, with the initials H. M., for Hugh Montgomery, who while yet a minor succeeded his father in 1546, and died June 1585. The second shield bears the three bars wavy and crest of the Drummonds, with the initials A. D., for Agnes Drummond, daughter of Sir John Drummond of Inverpeffry, and second Countess of Earl Hugh. Four different mason-marks appear on the vaulting, and, with exception of that occurring on the Countess's shield, such marks appear to have been incised only on the central fillet of the transverse ribs. Of the four varieties the most numerously repeated is that represented in Fig. *c*, occurring as it does, inclusive of the Drummond shield, fifteen times.

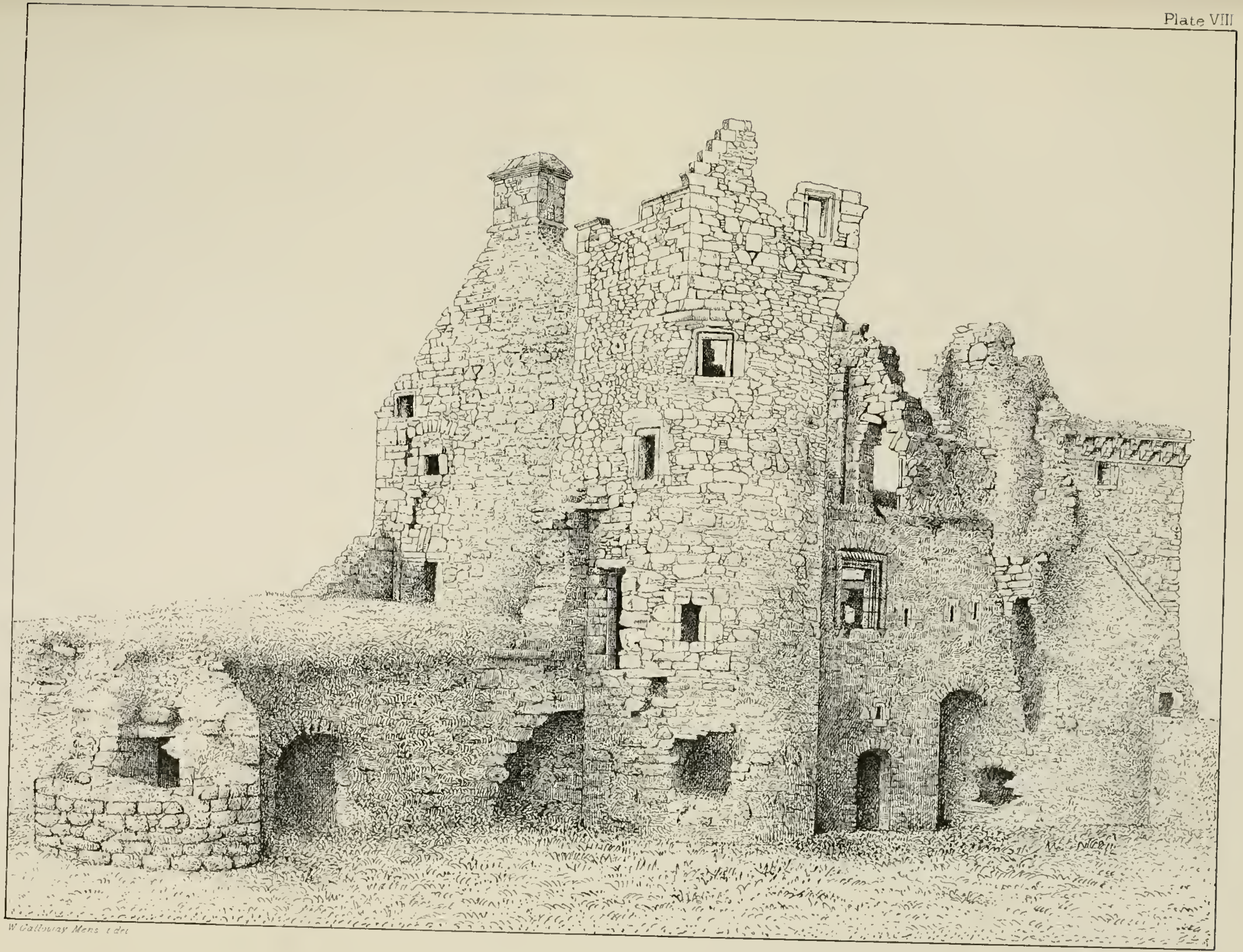
It may also be mentioned that each alternate pair of ribs—viz. the second, fourth, and sixth—have in the lower part of the springers deep batt holes cut. The lead seems to have been dug out; and they have this peculiarity, that, instead of being directly opposite to each other, they invariably occur on the reverse side of the opposed springers.

PLATE VIII.—VIEW FROM THE COURTYARD, OR NORTH-EAST.

When it existed in any degree of perfection the view of the Seagate Castle from the rear must have been much more picturesque than the street frontage. The massive turnpikes rising to the full height of the main buildings, finished with saddle-back roofs and crow-stepped gables, the greater variety of detail, the combination of old and new works, with it may be parterres and gardens, must have lent a charm to the back the front of the Castle could not possess.

From the description given in the previous Plates the reader will be able to single out the various features of interest. In the foreground there is unfortunately the wrecked and despoiled remnant of the east wing, with only the base of the staircase remaining, and unseemly gaps where the vault doors were. In the large circular staircase will be noticed the door opening outwards from the stair, previously mentioned, and it is from the upper part of this staircase that the falls of stone also referred to have chiefly taken place. Beyond this appears the large ornate window on first floor, from the archway beneath which enters the door to vaults in old tower and the kitchen. Terminating the building on the right is this tower itself, with the corbelling on the north side comparatively fresh, and on the face of wall beneath, the raglin for roof of the sixteenth century north wing, which had apparently been only in two stories. The arrangements of the old wing must have been very different, but the materials are too scanty to arrive at any definite conclusions as to what these were.

Plate VIII

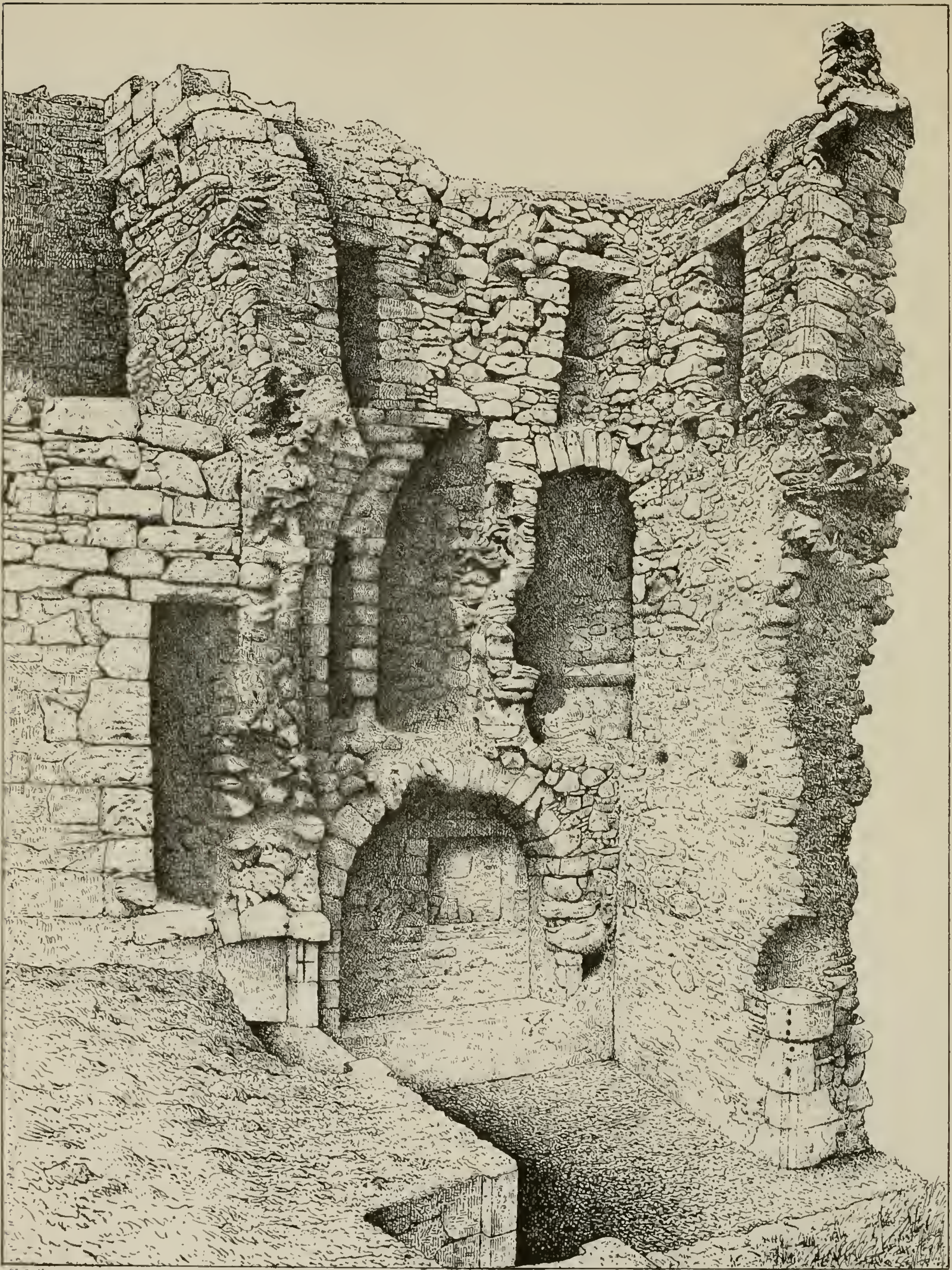


W Galloway Mens t del

G Waterston & Son Photo Lith

VIEW FROM NORTH EAST

AYR & GALLOWAY ARCHL ASSOCN 1885



W. Galloway, Mens et del.

G. Waterston & Sons, Edinburgh

INTERIOR VIEW OF THE ANCIENT TOWER

PLATES IX. AND X.—INTERIOR VIEW OF THE ANCIENT TOWER; AND DETAILS.

As already mentioned, the ancient tower just occupies the triangular gusset formed by the two ranges of building running at an acute angle to each other. This being an arrangement evidently dictated by necessity rather than by choice, and going back to the earliest date at which the building was erected, it is clear that even then some conterminous restrictions must have existed, rendering it necessary to adopt this very inconvenient plan. The fact of there being no windows or other openings in the lower stories of the building points to the same conclusion. As will be seen in the various plans given from cellar to battlements, the space thus enclosed within the gusset is very small, and although there can be no doubt the original Castle would be well defended, this tower can have contributed but little to its defence. It is situated at the rear of the main range, and has no shotholes or other means of assailing a foe. There is a bartizan round the top, but the projection is slight, and there are no machicolations. It has evidently been raised at this convenient spot as a watch-tower or look-out, and, commanding as it would all the approaches to the harbour and offing, for such a purpose it would be eminently fitted. This might favour the idea that in its first erection the Castle was intended to enforce the royal authority, to watch over the shipping, and collect the customs. Be that as it may, the building of which this tower is only a small remaining fragment, must have preceded by two or three centuries the work of Earl Hugh. There, the hewn work is comparatively fresh; in the battlements and corbelling of the tower it is wasted, often to complete obliteration. The whole character of this tower bespeaks a very different age. It is simple and severe in style, with the walls built for the most part not of quarried, but land stones, chiefly composed of the igneous rocks, in the form of small boulders, greenstone, porphyry, granite, etc. The heights of the different floors have been much lower than those of the later structure, and the levels must have been rather awkward to harmonise. The ground floor only has been vaulted, and is entered from beneath an open archway, giving access also to the kitchen. On the hewn work of the first floor occur the only two mason marks, shown on Plate X, traceable in the tower. They are both incised in a much bolder style than those represented in Plates V. and VII., and the most characteristic of the two shows the reverted arms of the fylefote or suastika in a very marked manner. It will be noticed, especially from the view, that at its existing termination the north wall shows traces of a circular staircase, and the lintels and sills of various doorways, communicating between the tower and the north wing.

As might be expected the battlements are in a very dismantled state. The parapet is entirely gone, save at the south-west angle, where it is still 2 feet 3 inches above the string over corbels, and 1 foot 9 inches thick. Its projection beyond the face of the wall below is only 7 inches, and it has been carried on a double tier of corbels ranged alternately, with a moulded string above and below, 2 feet 7 inches in total height. On the south side this corbelling runs on for about 8 feet, with what farther extension cannot now be known. On the north side it terminates on the raggled masonry of the old north wing. Between the parapet and the roof ran the usual narrow footway, of which a good many of the over- and under-lap paving stones still remain, also three of the water-scapes on the west side. At the back of the south parapet, and hewn out of one stone over 5 feet in length, the discharge gutter, covering the full breadth of the wall, still remains in perfect preservation. From the level of the kitchen door to the top of the parapet of the tower is just 37 feet.

WILLIAM GALLOWAY.

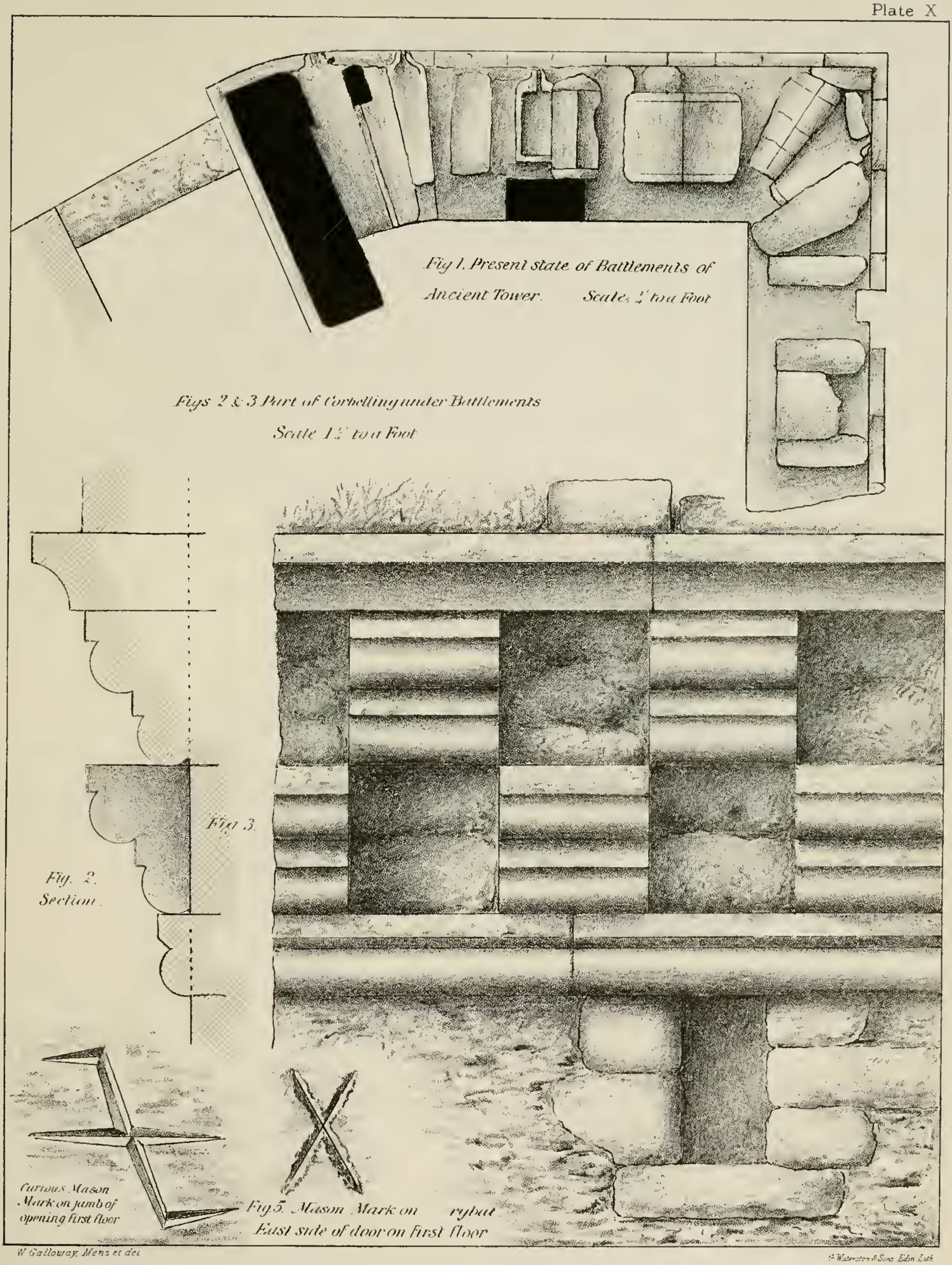


Fig 1. Present state of Battlements of Ancient Tower. *Scale ½" to a Foot*

Figs 2 & 3 Part of Corbelling under Battlements
Scale 1½" to a Foot

Fig. 2. Section.

Fig 3.

Curious Mason Mark on jamb of opening first floor

Fig 5. Mason Mark on rybat East side of door on First floor

W Galloway, Mens et del

G Waterston & Sons Edin Lith

DETAILS OF ANCIENT TOWER.

AYR & GALLOWAY ARCH^L ASSOC^N 1888

MUNIMENTS

OF

THE BURGH OF IRVINE

MUNIMENTS

OF

THE BURGH OF IRVINE.

I.—BURGH CHARTERS AND WRITS.

1. *Agreement between the Burgesses of Irvine, and Brice of Eglinton, granting to the latter twenty acres of land in feu ferme.—20th September* 1205. [Copy.]

Anno gratie millesimo duscentesimo quinto die Lune in vigilia Sancti Mathei apostoli in villa de Irving hec est communicatio facta inter burgenses et totam communitatem ville predicte ex parte una et Bricium de Eglunstone filium quondam Eglun domini de Eglunstone ex parte altera videlicet Quod burgenses et tota comunitas ville predicte unanimi consensu et assensu eorundem unanimiter concesserunt dederunt et ad feodifirmam dimiserunt dicto Bricio de Eglunstone illas viginti acras terre integras in tenemento de Eglunstone quas Radulphus filius et heres quondam Hugonis domini de Eglunstone burgensibus et communitati predictis pro quadam finali concordia inter eosdem quondam facta dedit concessit et perpetuo mancipavit per has metas et differentias Incipiendo scilicet apud Le Burghfauld ad superiorem finem predictarum viginti acrarum versus boream et sic descendendo versus orientem per quendam dicum usque Glyblanysburn et sic descendendo versus austrum per Glyblanysburn prædictum usque perveniatur ad fines del Moorsend metantes cum terra Rodalphi domini de Eglunstone et sic ascendendo versus occidentem per Moorasydes usque perveniatur ad Rebuccam communem del Hyppriddynges et sic ascendendo versus Boream per fines del Hyppriddynges predictorum usque perveniatur ad quendam dicum spineum qui dicitur Hawthorne qui dicus est meta inter dictas viginti acras et terram de Benislay et sic ex transverso versus orientem per Rebuccam communem jacentem inter predictas viginti acras et terram de Benislay usque perveniatur ad quendam cumulum lapideum et sic ascendendo ex transverso de dicto cumulo lapideo per dictam Rebuccam comunem versus orientem usque perveniatur in dicum predictum qui dicitur le burghfauld dyke Tenendas et habendas predicto Bricio heredibus suis et suis assignatis burgensibus et comunitate predictis ad feodofirmam per metas supradictas cum omnibus justis pertinentiis suis et asiamentis et liberis consuetudinibus ad predictas viginti acras terre infra metas suas predictas de jure spectantibus et in futuro de jure spectare valentibus Reddendo inde annuatim dictus Bricius heredes sui vel sui assignati in ecclesia parochiali de Irving ad festum Sancti Jacobi apostoli in estate burgensibus et comunitati predictis decem solidos sterlingorum nomine feodifirme libere et quiete bene et pacifice plenarie et honorifice ab omni alio onere exactione servili opere et demanda seculari dictus vero Bricius se in hoc presenti scripto obligat et heredes suos et suos assignatos et tam terram suam de Benislay cum pertinentiis quas dictas viginti acras terre predicte cum suis pertinentiis ac omnia alia bona sua mobilia et immobilia ubicunque sunt inventa sine aliqua contradictione legittime fore distrinzenda quibuscunque burgensibus et comunitati predictis de dicta feodofirma sua in omnibus plenarie et integre fuerint satisfactioni nullo obstante proponendo Sciendum est preterea quod dictus Bricius nec heredes sui nec sui assignati post eorum predicessorum obitum dictam feodofirmam nullo modo duplicabunt et si contingat dictum Bricium heredes suos vel suos assignatos seu eorum homines dictas viginti acras terre inhabitantes in curia dictorum burgensium et comunitatis predicte quocunque casu adveniente emere conarere eorum merciamentum prout justum fuerit capiatur dicti vero burgenses et comunitas predicta dictas viginti acras terre predicte cum omnibus justis pertinentiis suis infra metas suas predictas ut predictum est contentis predicto Bricio heredibus suis et suis assignatis contra omnes homines et feminas warrantizabunt acquietabunt et defendent in perpetuum Et ad majorem hujus rei in omnibus premissis securitatem dictus Bricius pro parte sua burgensibus et comunitati predictis Rodalphum dominum de Eglunstone fratrem suum invenit fidejussorem et debitorem pro se et heredibus suis principalem In quorum omnium et singulorum premissorum testimonium uni parti presentis scripti chirographici penes dictum Bricium heredes suos et assignatos suos remanenti comune sigillum burgensium et

communitatis predictorum est appensum et alteri parti predicti scripti penes dictos burgenses et communitatem predictam remanenti sigilla predicti Bryeii et Rodalphi sunt appensa Hisce testibus domino Godolpho[1] de Rosse domino Roberto Boyd domino Bricio de Blair militibus Fergusio de Rosse Arthuro de Rosse fratribus Gulielmo Kerr Alexandro del Blair et multis aliis.

Translation.

In the year of Grace one thousand two hundred and five, on Monday in the vigil of saint Matthew the apostle, in the town of Irvine, this is the communing made between the burgesses and whole community of the foresaid town on the one part, and Brice of Eglunstone son of the late Eglun lord of Eglunstone on the other part, to wit: That the burgesses and whole community of the foresaid town, with the unanimous consent and assent of the same, have unanimously granted given and to feuferme let, to the said Brice of Eglunstone, those whole twenty acres of land in the tenement of Eglunstone, which Ralph son and heir of the late Hugh lord of Eglunstone gave granted and for ever disponed to the burgesses and community foresaid, for a certain final concord previously made between them, by these meiths and divisions,—Beginning, to wit, at the Burghfauld at the upper end of the foresaid twenty acres towards the north, and so descending towards the east by a certain dike as far as Glyblanysburn, and so descending towards the south by Glyblanysburn foresaid, to the marches of Moorsend, bounding with the land of Ralph lord of Eglunstone, and so ascending towards the west by Moorasydes to the common Rebucca of Hyppriddynges, and so ascending towards the north by the marches of Hyppriddynges foresaid to a certain thorn-dike which is called Hawthorne, which dike is the march between the said twenty acres and the land of Benislay; and so across towards the east by the common Rebucca lying between the foresaid twenty acres and the land of Benislay, to a certain cairn of stones, and so ascending across from the said cairn of stones by the said common Rebucca towards the east to the foresaid dike, which is called the Burghfauld dike: To be holden and had to the foresaid Brice his heirs and his assignees, [of] the burgesses and community foresaid, in feuferme, by the marches abovesaid, with all their right pertinents, easements, and free customs, of right belonging, and in time to come of right to belong, to the foresaid twenty acres of land, within their meiths aforesaid : Paying therefor yearly, the said Brice his heirs or his assignees, in the parish church of Irvine, at the feast of St. James the apostle in summer, to the burgesses and community foresaid, ten shillings of sterlings in name of feuferme, freely and quietly, well and in peace, fully, honourably, from all other burden exaction servile work and secular demand : And the said Brice in this present writ obliges him and his heirs and assignees, and as well his land of Benislay with the pertinents as the said twenty acres of land foresaid, with their pertinents, and all their other goods movable and immovable wheresoever found, to be without any contradiction, lawfully distrained, and shall be to whomsoever of the burgesses and community aforesaid, freely and wholly in satisfaction of their said feuferme, in all respects, no one offering any objection. It is, moreover, to be understood, that neither the said Brice nor his heirs nor his assignees, after the death of their predecessors, shall in any wise double the said feuferme. And if it shall happen the said Brice his heirs or his assignees, or their men inhabiting the said twenty acres of land, in the court of the said burgesses and community to do wrong in any case arising, their fine shall be taken as may be just. But the said burgesses and community aforesaid shall warrant acquit and for ever defend against all men and women the said twenty acres of land with all their right pertinents, with their foresaid marches contained as is before said, to the foresaid Brice his heirs and assignees : And for the greater security hereof in all the premises, the said Brice, for his own part, has found to the burgesses and community aforesaid, Ralph lord of Eglunstone, his brother, principal surety and debtor for himself and his heirs : In witness of which all and sundry the premises, to the one part of this present chirograph writing, to remain with the said Brice his heirs and assignees, the common seal of the burgesses and community foresaid is appended, and to the other part of the foresaid writing, to remain with the said burgesses and community the seals of the foresaid Brice and Ralph are appended : Witnesses, Sir Godfred of Rosse, Sir Robert Boyd, Sir Brice of Blair, knights ; Fergus of Rosse, Arthur of Rosse, brothers, William Kerr, Alexander of Blair, and many others.

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[1] *Note in original copy*—Godolpho should be Godfredo.

2. *Indenture between Godfrey de Ross and the Burgesses of Irvine in* 1260. [*Notarial Copy, made in* 1444.]

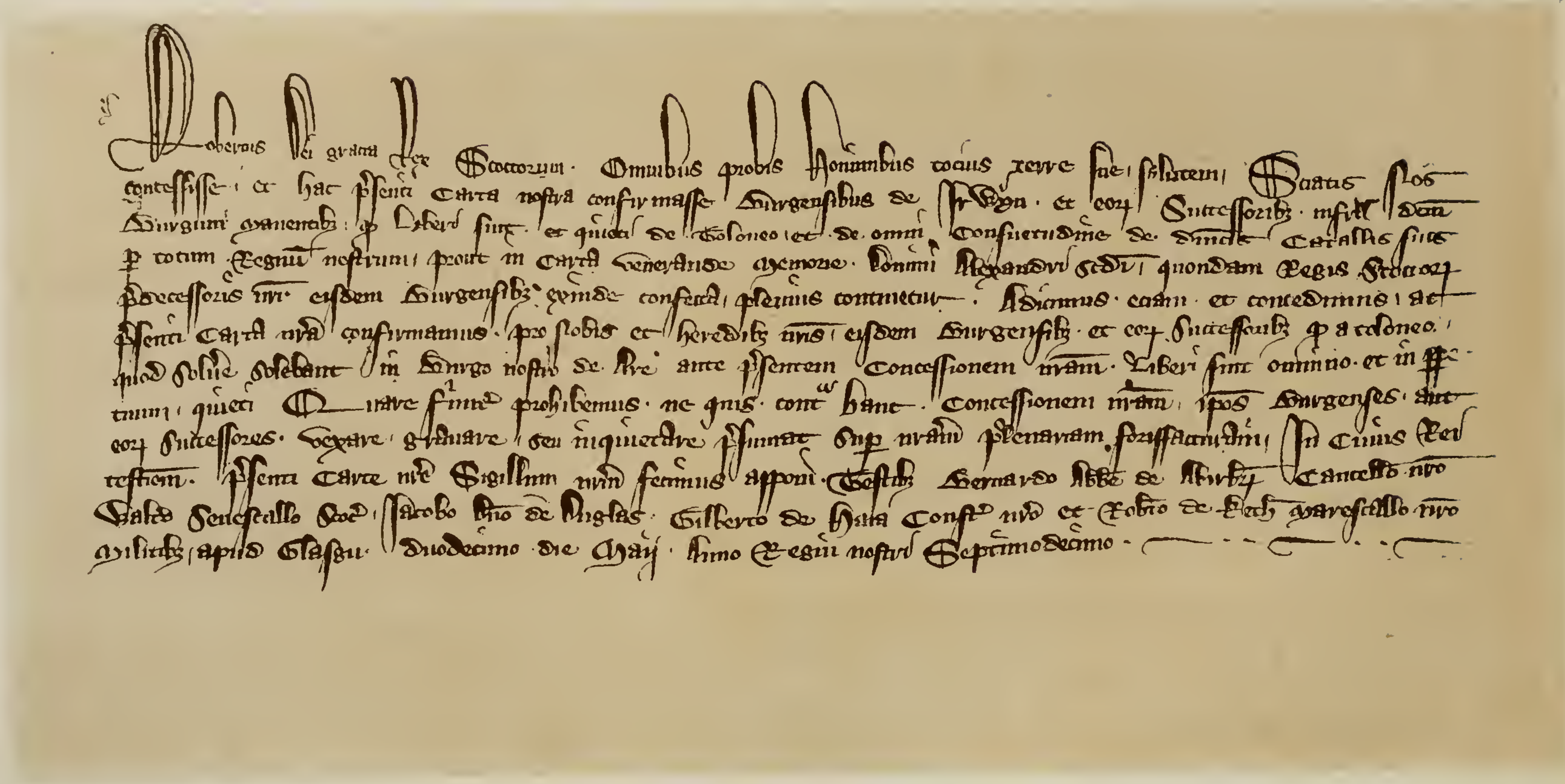
In Dei nomine amen: per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab incarnacione Domini millesimo quadringentesimo quadragesimo quarto indiccione septima duodecima die mensis maije pontificatus sanctissimi in Christo patris ac domini nostri domini Eugenij pape quarti anno decimo quarto In mei notarii publici et testium subscriptorum presencia personaliter constitutus probus vir Johannes Spens ballivus burgi de Erwin quasdam evidencias sive indenturas factas inter burgenses predicti burgi de Erwin et dominum Godfridum de Rosse sigillo predicti domini Godfridi de Ros sigillatas publice monstravit et mihi tradidit perlegendas quarum tenor sequitur in hæc verba Anno gracie millesimo ducentesimo sexagesimo die Sabbati proxima prius festum Sancti Johannis Baptiste coram domino Johanne de Balle domino Willelmo comite de Marre domino Hugone de Balle filio dicti domini Johannis domino Hugone fratre ejusdem domini Joannis domino Gocelino de Balle domino Thoma Rane domino Stephano le Flemyng domino Odinello filio Radolphi et aliis factum fuit recordum apud Erwin inter burgenses de eadem et dominum Godefridum de Rosse assensu et bona voluntate utriusque partis videlicet per dominum Hugonem de Craweford dominum Fergus de Ardrossan, dominum Willelmum de Dunlop magistrum Godefridum de Ros David Mor Thomam de Stubhyl Adam Urri Ricardum Broun et Willelmum de Gowinskey qui dicunt quod omnibus contencionibus et querelis cessantibus exaccionibus et demandis quadam finali concordia inter predictos burgenses ex parte una et dictum dominum Godefridum ex parte altera pacificatis super tenemento de Hormissok cum pertinenciis in quo dicti burgenses clamaverunt eorum Communem pasturam ad illos tanquam jus suum pertinere Convenit inter ipsos videlicet quod predicti burgenses concesserunt pro se et heredibus suis seu successoribus dicto domino Godefrido et ejus heredibus habere et tenere bene et in pace totam terram aratam et frussatam in predicto tenemento, die predicte Convencionis facte; solvendo sibi et eorum heredibus seu successoribus in perpetuum duas mercas et dimidium videlicet meditatem ad festum sancti Martini in hyeme et aliam medietatem ad pentecosten proximo futurum Salvo tamen dicto domino Godefrido et ejus heredibus bosco de Langhurst ita quod dicti burgenses in illo non communicabunt in herba vel in aliis, set dicti burgenses et eorum heredes vel successores ubique communicabunt in dicto tenemento de Hormissok cum pertinenciis et asiamentis preterquam in dicto bosco de Langehurst et preterquam in dictis terris aratis seu arabilibus Postquam vero dictus dominus Godefridus et ejus heredes vesturam dicte terre arate asportaverint dicti burgenses de Irewin et eorum heredes seu successores in eadem terra arabili sive arata plene cum ipso et ejus tenentibus absque ullo impedimento vel contradiccione communicabunt et ad noctem dictam terram aratam seu arabilem cum eorum animalibus evacuabunt Et dictus dominus Godefridus et ejus heredes facient dictis burgensibus et eorum heredibus seu successoribus racionabilem introitum et exitum ingrediendi dictam pasturam cum eorum animalibus Si vero eorum animalia in dampnis dicti domini Godefridi vel ejus heredum inveniantur solvent pro omnibus messori loci unum obolum tantum racione dicti eschapii et dampni dicto domino Godefrido et ejus heredibus per visum proborum et legalium virorum restituetur Et sciendum quod predictus Godefridus vel ejus heredes non assartabunt frussabunt seu vacuabunt aliquo modo plusquam tempore predicte convencionis fuit assartatum frussatum seu vacuatum Nec licebit alicui eorum in dicte pasture boscis aliqua ligna scindere ad vendendum vel sibi ipsi appropriandum sine consensu et voluntate utriusque partis Ad istam vero convencionem et finalem concordiam ex utraque parte tenendam tam dictus dominus Godefridus quam predicti burgenses de Irewin in manu domini Abbatis de Kylwynin fidem suam spontanea eorum voluntate astrinxerunt. Preterea sciendum quod predictus Godefridus et dicti burgenses et eorum heredes vel successores habebunt sua estoveria in boscis dicte pasture ad comburendum et edificandum sine impedemento vel contradiccione utriusque partis Et ut hec predicte convenciones et finales concordie perpetue firmitatis robur optineant uterque eorum sigillum suum alteri parti in testimonium futurorum apposuit: Super quibus quidem indenturis sic monstratis traditis et perlectis predictus Johannes Spens sub signo publico a me notario peciit copiari et in formam publicam redigi et inde sibi fieri publicum Instrumentum: Acta fuerunt hec in vico publico predicti burgi de Erwin prope crucem hora quasi nona ante meridiem anno indiccione mense die et pontificatu quibus supra Presentibus ibidem providis et discretis viris videlicet domino Edwardo de Cunynghame vicario de Gauston domino Alexandro Cunynghame capellano Alexandro Cunynghame armigero Johanne Roberti et Thoma Willelmi cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

> Et Ego Willelmus de Akinhede presbyter magister in artibus Sancti Andree dyoceseos publicus auctoritate Imperiali Notarius premissarum Indenturarum monstracioni, tradicioni et perleccioni unacum prenominatis testibus presens interfui ipsasque Indenturas perlegi in hunc modum copiavi et in hanc formam publicam redegi nil addens vel minuens quod sensum mutare poterit aut variare intellectum indeque presens publicum Instrumentum confeci manuque mea propria scripsi et signo meo solito et subscripcione vallavi, requisitus specialiter et rogatus in fidem et testimonium premissorum. W. DE A.

TRANSLATION.

In the name of God amen Let it evidently appear to all by this present public instrument that in the year from the incarnation of our Lord one thousand four hundred and forty-four, in the seventh indiction, on the twelfth day of May and in the fourteenth year of the pontificate of the most holy Father in Christ and our lord lord Eugenius IV. pope, in presence of me notary public and of the witnesses underwritten having personally compeared a prudent man, John Spens bailie of the burgh of Irvine, he publicly shewed certain evidents or indentures made betwixt the burgesses of the said burgh of Irvine and Sir Godfrey of Ross, sealed with the seal of the said Sir Godfrey of Ross, and delivered them to me to be read, of which the tenor follows in these words: In the year of grace one thousand two hundred and sixty, on the Saturday first before the feast of St. John the Baptist, in presence of Sir John of Ball, Sir William Earl of Mar, Sir Hugh of Ball, son of the said Sir John, Sir Hugh brother of the said Sir John, Sir Jocelin of Ball, Sir Thomas Rane. Sir Stephen Le Flemyng, Sir Odinell the son of Ralph, and others, a record was made at Irvine between the burgesses thereof and Sir Godfrey of Ross, with the assent and good will of both parties, namely, by Sir Hugh of Crawfurd, Sir Fergus of Ardrossane, Sir William of Dunlop,

Master Godfrey of Ross, David More, Thomas of Stubhill, Adam Urry, Richard Brown, and William of Gowinskey, who say that all contentions and quarrells being ended, the exactions and demands having been peacefully settled by a certain final agreement between the said burgesses on the one part and the said Sir Godfrey on the other part, respecting the tenement of Hormissok, with the pertinents, in which the said burgesses claimed their common pasturage to belong to them as their right: It is agreed betwixt them, to the effect that the said burgesses have granted for themselves and their heirs or successors to the said Sir Godfrey and his heirs, to have and to hold well and in peace the whole land in the foresaid Tenement, ploughed and unploughed, at the day of making the said agreement, paying to them, and their heirs or successors for ever, two merks and a half, vizt., the half at Martinmas in winter, and the other half at Whitsunday next to come; reserving, however, to the said Sir Godfrey and his heirs, the Wood of Langhurst, so that the said burgesses shall not have commonty thereon in grass or others; but the said burgesses and their heirs or successors shall everywhere have commonty in the said tenement of Hormissoks, with the pertinents and easements, except in the said Wood of Langhurst, and except in the said ploughed or arable lands: But after the said Sir Godfrey and his heirs shall have carried away the crop of the said ploughed land, the said burgesses of Irvine and their heirs or successors shall have commonty on the said ploughed or arable land equally with him and his tenants, without any impediment or contradiction; and at night they shall evacuate the said ploughed or arable land with their cattle: And the said Sir Godfrey and his heirs shall make to the said burgesses and their heirs or successors, reasonable ish and entry to the said pasture with their cattle: But if their cattle shall be found doing damage to the said Sir Godfrey or his heirs, they shall pay for all to the Reaper of the place one halfpenny only on account of the said fault, and the damage shall be repaid to the said Sir Godfrey and his heirs at the sight of prudent and liege men: And it is to be known, that the foresaid Godfrey or his heirs shall not in any manner clear, lay fallow or vacate more ground than at the time of the said agreement was cleared, fallow or empty: Nor shall it be allowed to any one of them to cut any timber in the woods of the said pasture for sale or appropriating it to themselves, without the will and consent of both parties: And for maintaining this Convention and final



CHARTER BY ROBERT I TO THE BURGH OF IRVINE, 12TH MAY 1322.

agreement on both sides, the said Sir Godfrey, as well as the said burgesses of Irvine have voluntarily pledged their faith before the lord Abbot o Kilwinning: Further, it is to be known that the foresaid Godfrey and the said burgesses and their heirs or successors shall have their allowance from the woods of the said pasture, for burning and building, without impediment or contradiction of either party: and that these foresaid Conventions and final agreements may obtain the strength of perpetual endurance, both of them have set their seal to the other party for a testimony of the future. Which Indentures thus shewn delivered and read, the said John Spens requested to be copied under a public signature by me Notary, and to be reduced into public form, and a Public Instrument made thereupon to him: These things were done in the public street of the foresaid burgh of Irvine near the cross, about nine o'clock before noon of the year, indiction, month, day and Pontificate above mentioned, in presence of prudent and discreet men, namely, Sir Edward of Cunynghame vicar of Galston, Sir Alexander Cunninghame chaplain, Alexander Cunninghame esquire, John the son of Robert, and Thomas the son of William, with many others, witnesses to the premisses specially called and required.

And I William of Akinhede, presbyter, master of arts of the diocese of St. Andrews, notary public by imperial authority, was present with the forenamed witnesses at the exhibition, delivery and reading of the foresaid Indentures, and I read over the Indentures themselves, copied them after this manner, and reduced them into this public form, neither adding nor taking away anything which could change the sense or vary the meaning, and from thence I formed this present public instrument, wrote it with my own hand, and vouched it with my usual signature and subscription, being specially called and required in faith and testimony of the premisses.

3. *Charter by Robert the Bruce, King of Scots, in favour of the Burgh of Irvine.*—12*th May* 1322.

Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem: Sciatis nos concessisse et hac presenti carta nostra confirmasse

burgensibus de Irwyn et eorum successoribus infra dictum burgum manentibus quod liberi sint et quieti de Toloneo et omni consuetudine de dominicis catallis suis per totum regnum nostrum prout in carta venerande memorie domini Alexandri secundi quondam regis Scottorum predecessoris nostri eisdem burgensibus exinde confecta plenius continetur Adjicimus eciam et concedimus ac presenti carta nostra confirmamus pro nobis et heredibus nostris eisdem burgensibus et eorum successoribus quod a toloneo quod solvere solebant in burgo nostro de Are ante presentem concessionem nostram liberi sint omnino et imperpetuum quieti Quare firmiter prohibemus ne quis contra hanc concessionem nostram ipsos burgenses aut eorum successores vexare gravare seu inquietare presumat super nostram plenariam forisfacturam. In cujus rei testimonium presenti carte nostre sigillum nostrum fecimus apponi: Testibus Bernardo abbate de Abirbrothoc cancellario nostro[1] Waltero Senescallo Scocie[2] Jacobo domino de Duglas[3] Gilberto de Haia[4] constabulario nostro et Roberto de Keth marescallo nostro[5] militibus: Apud Glasgu duodecimo die Maij anno regni nostri septimo decimo.

TRANSLATION.

Robert by the grace of God king of Scots to all good men of his whole land, Greeting: Wit ye us to have granted and by this our present charter confirmed to the burgesses of Irvine and their successors dwelling in the said burgh that they be free and acquit from payment of all Toll and Custom on their burgess goods throughout our whole kingdom, as is more fully contained in a charter made for that purpose to the said burgesses by Alexander the second of venerable memory sometime king of Scots, our predecessor; We also have added and granted, and by this our present Charter for us and our heirs do confirm, to the said burgesses and their successors, that they be altogether acquit and perpetually free from the Toll which before our present grant they were wont to pay in our Burgh of Ayr: Wherefore we strictly order under pain of full forfeiture that no one contrary to this our Grant presume to vex oppress or disturb the said

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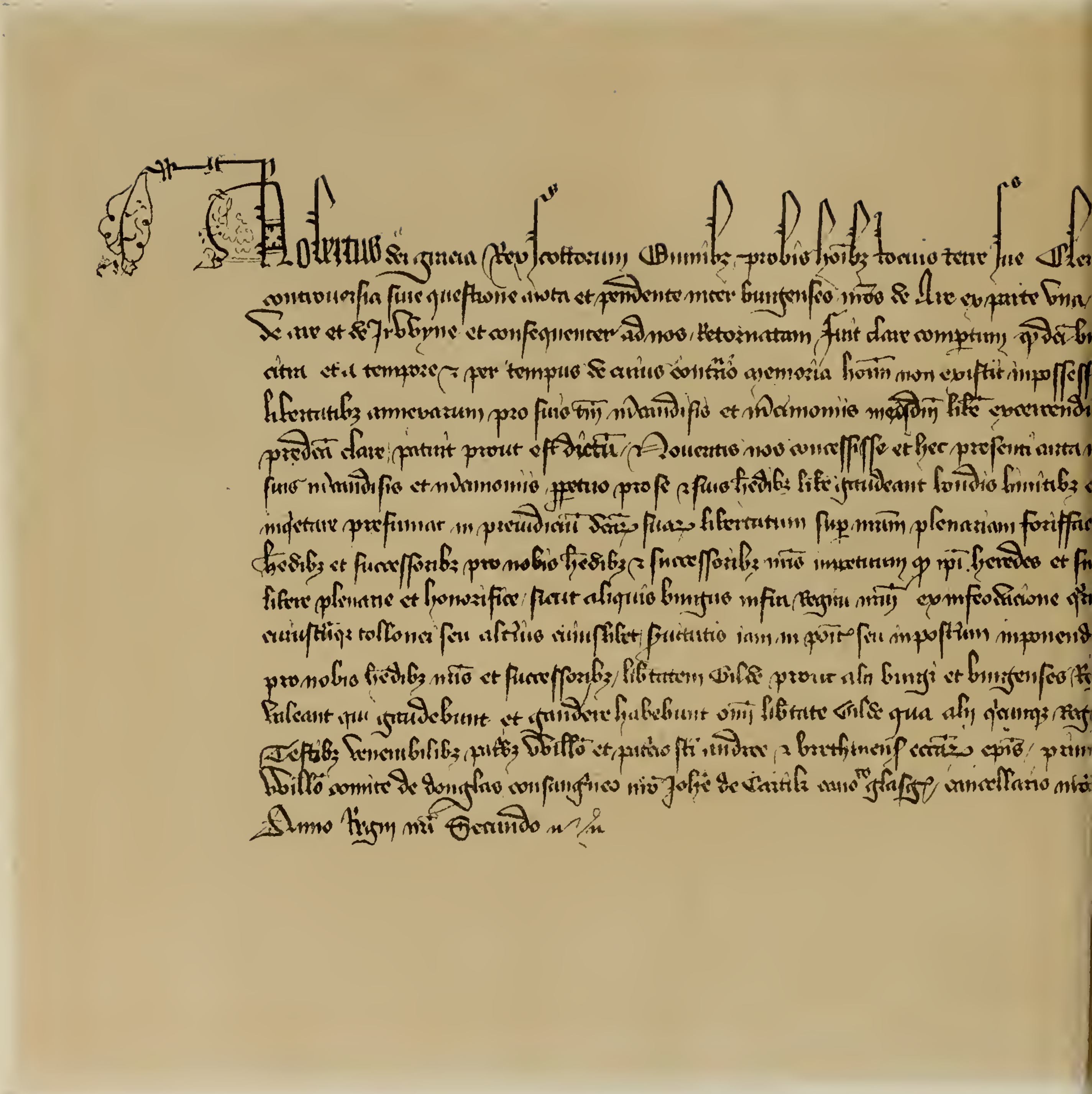
[1] Bernard died in 1327. Crawfurd's *Officers of State*, p. 17.

[2] Walter, High Steward of Scotland, died in 1326.

[3] James, Lord of Douglas, was killed in 1330.—Douglas (1813), vol. i. p. 421.

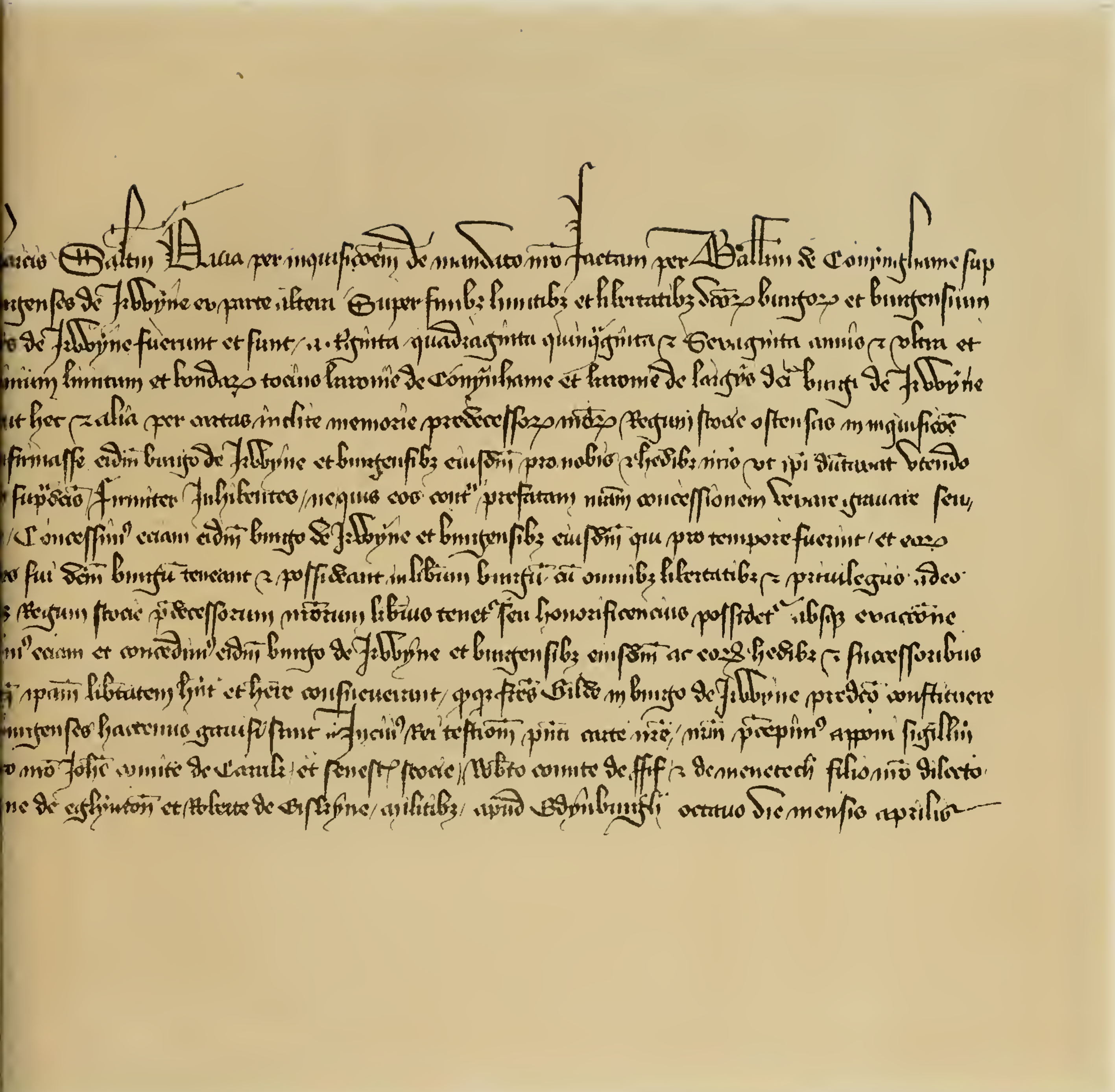
[4] He died in 1330.—Douglas, vol. i. p. 546.

[5] Sir Robert de Keith, Great Marischal of Scotland, fell at the battle of Duplin in 1332. Douglas, vol. ii. p. 187.



Robertus dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue Cler
controversia sive questione mota et pendente inter burgenses nostros de Are ex parte una
de Are et de Irrbyne et consequenter ad nos retornatam sunt clare compertum quod dicti b
citra et a tempore et per tempus de cuius contrario memoria hominum non existit in possess
libertatibus annexatum pro suis tam nundinis et mercimoniis mercandi libere exercendi
predictam clare patuit prout est dictum Noveritis nos concessisse et hac presenti carta
suis nundinis et mercimoniis perpetuo pro se et suis heredibus libere gaudeant bondis limitibus
inquietare presumat in preiudicium dictarum suarum libertatum super nostram plenariam forisfac
heredibus et successoribus pro nobis heredibus et successoribus nostris imperpetuum quod ipsi heredes et su
libere plenarie et honorifice sicut aliquis burgus infra regnum nostrum ex infeodacione
cuiuscumque tollonei seu alterius cuiuslibet servitutis iam imposit seu imposterum imponend
pro nobis heredibus nostris et successoribus libertatem Ville prout alii burgi et burgenses
valeant qui gaudebunt et gaudere habebunt omni libertate Ville qua alii quicumque
Testibus venerabilibus patribus Willelmo et Patricio sancti andree et brechinensis ecclesiarum episcopis
Willelmo comite de douglas consanguineo nostro Johanne de Carrik canonico glasguensi cancellario
Anno Regni nostri secundo

CHARTER BY ROBERT



HE BURGH OF IRVINE 8TH APRIL 1372.

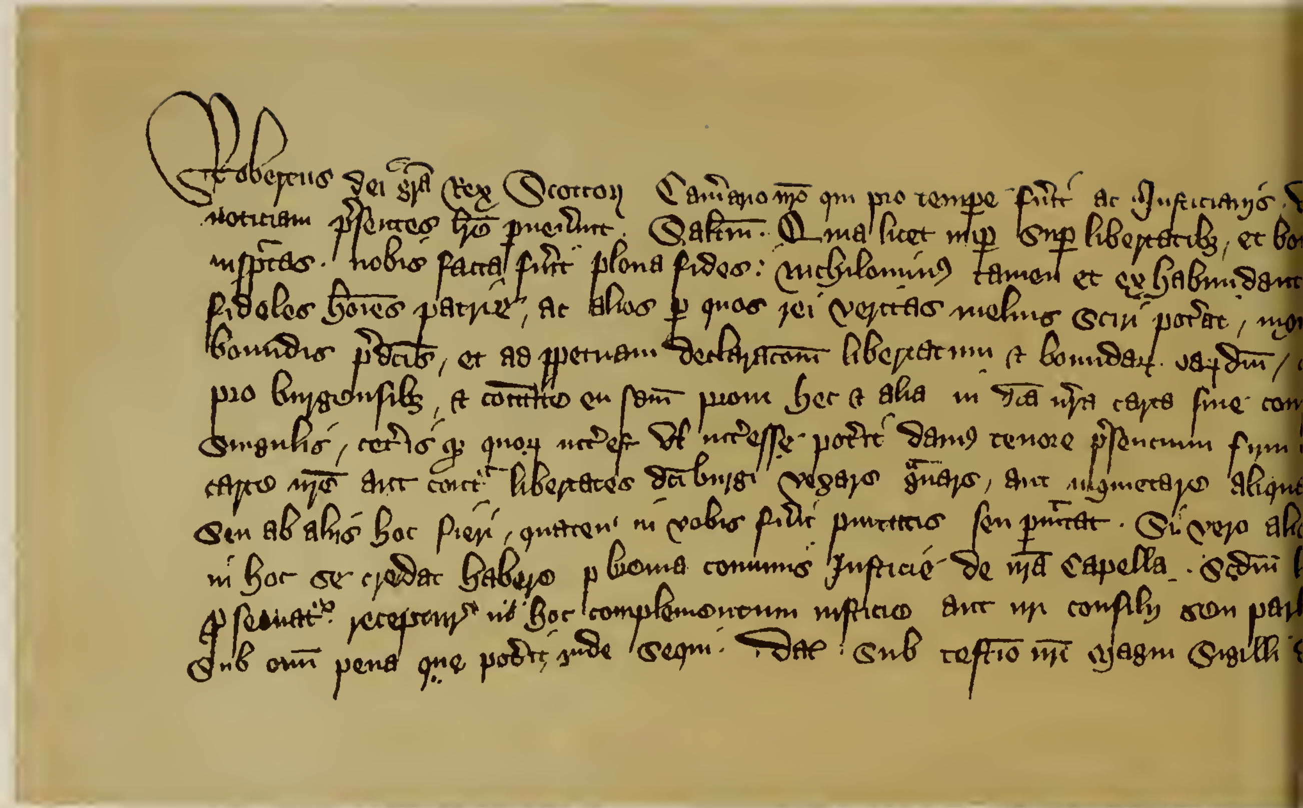
burgesses or their successors. In testimony whereof we have caused our seal to be appended to this our present charter. Witnesses, Bernard abbot of Arbroath our chancellor, Walter, Steward of Scotland, James lord of Douglas, Gilbert of Hay our constable, and Robert of Keith our marshal, knights: At Glasgow the twelfth day of May in the seventeenth year of our reign.

4. *Charter by King Robert the Second in favour of the Burgh of Irvine, following upon the Inquest for the Settlement of the dispute with Ayr, about the boundaries.—8th April* 1372.

Robertus Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Quia per Inquisicionem de mandato nostro factam per Ballivum de Conynghame super controversia sive questione mota et pendente inter burgenses nostros de Are ex parte una et burgenses de Irwyne ex parte altera super finibus limitibus et libertatibus dictorum burgorum et burgensium de Are et de Irwyne et consequenter ad nos retornatam fuit clare compertum quod dicti burgenses de Irwyne fuerunt et sunt a triginta quadraginta quinquaginta et sexaginta annis et ultra et citra et a tempore et per tempus de cujus contrario memoria hominum non existit in possessione finium limitum et bondarum tocius Baronie de Conynhame et baronie de Largys dicti burgi de Irwyne libertatibus annexarum pro suis tantum mercandisis et mercimoniis in eisdem libere excercendis prout hec et alia per cartas inclite memorie predecessorum nostrorum regum Scocie ostensas in inquisicione predicta clare patuit prout est dictum Noveritis nos concessisse et hac presenti carta nostra confirmasse eidem burgo de Irwyne et burgensibus ejusdem pro nobis et heredibus nostris ut ipsi duntaxat utendo suis mercandisis et mercimoniis perpetuo pro se et suis heredibus libere gaudeant bondis limitibus et finibus supradictis firmiter inhibentes nequis eos contra prefatam nostram concessionem vexare gravare seu inquietare presumat in prejudicium dictarum suarum libertatum super nostram plenariam forisfacturam Concessimus eciam eidem burgo de Irwyne et burgensibus ejusdem qui pro tempore fuerint et eorum heredibus et successoribus pro nobis heredibus et successoribus nostris in perpetuum quod ipsi heredes et successores sui dictum burgum teneant et possideant in liberum burgum cum omnibus libertatibus et privilegiis adeo libere plenarie et honorifice sicut aliquis burgus infra regnum nostrum ex infeodacione quorumcunque regum Scocie predecessorum nostrorum liberius tenetur seu honorificencius possidetur absque exaccione cujuscunque tollonei seu alterius cujuslibet servitutis jam inpositi seu in posterum imponendi volumus eciam et concedimus eidem burgo de Irwyne et burgensibus ejusdem ac eorum heredibus et successoribus pro nobis heredibus nostris et successoribus libertatem Gilde prout alii burgi et burgenses regni nostri ipsam libertatem habent et habere consueverant; quodque fratres Gilde in burgo de Irwyne predicto constituere valeant qui gaudebunt et gaudere habebunt omni libertate Gilde qua alij quicunque regni nostri burgenses hactenus gavisi sunt In cujus rei testimonium presenti carte nostre nostrum precepimus apponi sigillum: Testibus venerabilibus patribus Willelmo et Patricio Sancti Andree et Brechinensis ecclesiarum episcopis primogenito nostro Johanne comite de Carrik et senescallo Scocie Roberto comite de Fif et de Meneteth filio nostro dilecto Willelmo comite de Douglas consanguineo nostro Johanne de Carrik canonico Glasguensi cancellario nostro Hugone de Eglynton et Roberto de Erskyne militibus: Apud Edynburgh octavo die mensis Aprilis anno regni nostri secundo.

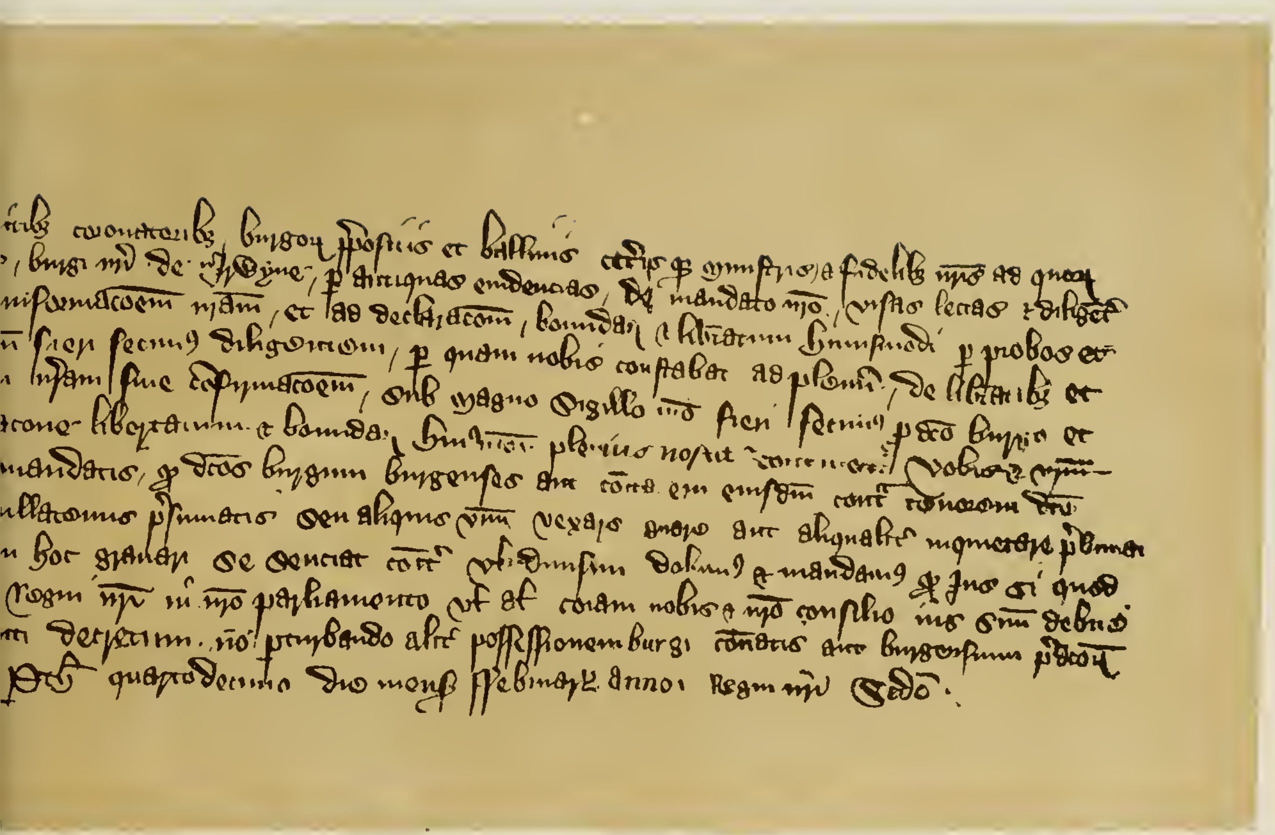
TRANSLATION.

Robert by the grace of God king of Scots, to all good men of his whole land clergy and laity, Greeting; Whereas by inquest made at our command by the bailie of Cunninghame respecting the dispute or question moved and depending between our burgesses of Ayr on the one part and the burgesses of Irvine on the other part, in regard to the boundaries limits and liberties of the said burghs and burgesses of Ayr and of Irvine, and afterwards returned to us, it was clearly found that the said burgesses of Irvine were and are from thirty forty fifty and sixty years and beyond, and before and from and during times, of the contrary of which there is no memory of man, in possession of the boundaries territory and limits of the whole Barony of Cunninghame and Barony of Largs annexed to the liberties of the said burgh of Irvine, for freely exercising only their traffic and merchandise in the same, as these and other things clearly appeared by charters shewn at the said Inquest, granted by our predecessors kings of Scotland of renowned memory, as aforesaid: Wit ye us to have granted and by this our present charter confirmed to the said burgh of Irvine and burgesses thereof, for ourselves and our heirs, that they, only for the pur-



LETTER OF PROTECTION BY ROBERT II. TO THE BURGH OF IRVI

AYR & GALLOWAY, ARC



THE EXERCISE OF ITS PRIVILEGES, 14TH FEB. 1372-73.

poses of carrying on their merchandise and traffic, for ever, for themselves and their heirs may freely enjoy the bounds limits and territories abovewritten: Inhibiting every person under pain of our full forfeiture to presume, contrary to our said Grant, to vex oppress or disturb them in prejudice of their said liberties: We have also granted to the said burgh of Irvine and to the burgesses of the same who shall be for the time, and to their heirs and successors, for us our heirs and successors for ever, that they, their heirs and successors hold and possess the said burgh as a free burgh, with all liberties and privileges, as freely fully and honourably as any burgh within our kingdom, constituted by whatsoever kings of Scotland our predecessors, is freely held or honourably possessed, without the exaction of any Toll or other servitude whatever, now imposed or to be imposed hereafter: We will also and grant to the said burgh of Irvine and to the burgesses thereof, and to their heirs and successors, for us our heirs and successors, the liberty of guild, as other burghs and burgesses of our Kingdom have and were wont to have that liberty; and that they may appoint Guild brethren in the said burgh of Irvine, who shall enjoy and shall be reckoned to enjoy every liberty of guild that other burgesses whatsoever of our kingdom hitherto have enjoyed. In testimony whereof we have ordered our Seal to be appended to this our present Charter: Witnesses, the venerable fathers William and Patrick bishops of the churches of Saint Andrews and Brechin, our first-born son John Earl of Carrik and Steward of Scotland, Robert Earl of Fife and of Menteith our beloved son, William Earl of Douglas our cousin, John of Carrick canon of Glasgow our Chancellor, Hew of Eglinton and Robert of Erskyne knights: At Edinburgh the eighth day of the month of April in the second year of our reign.

5. *Letter of Protection by Robert the Second to the Burgh of Irvine in the exercise of its privileges.—14th February* 1372-3.

Robertus Dei gratia Rex Scottorum Camerario nostro qui pro tempore fuerit ac Justiciariis vicecomitibus coronatoribus burgorum prepositis et ballivis ceterisque ministris et fidelibus nostris ad quorum noticiam presentes litere pervenerint salutem Quia licet nuper super libertatibus et boundis burgi nostri de Irvyne per antiquas evidencias de mandato nostro visas lectas et diligenter inspectas nobis facta fuerit plena fides nichilominus

tamen et ex habundanti ad informacionem nostram et ad declaracionem boundarum et libertatum hujusmodi per probos et fideles homines patrie ac alios per quos rei veritas melius scire poterat inquisicionem fieri fecimus diligentem per quam nobis constabat ad plenum de libertatibus et boundis predictis et ad perpetuam declaracionem libertatum et boundarum earundem, cartam nostram sive confirmacionem sub magno sigillo nostro fieri fecimus pro dicto burgo et pro burgensibus et communitate ejusdem prout hec et alia in dicta nostra carta sive confirmacione libertatum et boundarum hujusmodi plenius noscitur contineri ; Vobis et vestrum singulis ceterisque quorum interest vel interesse poterit damus tenore presencium firmiter in mandatis quod dictos burgum burgenses aut communitatem ejusdem contra tenorem dicte carte nostre aut contra libertates dicti burgi vexare gravare aut inquietare aliqualiter nullatenus presumatis ; seu aliquis vestrum vexare gravare aut aliqualiter inquietare presumat seu ab aliis hoc fieri quatenus in vobis fuerit permittatis seu permittat. Si vero aliquis in hoc gravari se senciat communiter vel divisim volumus et mandamus quod jus si quod in hoc se credat habere per brevia communis justicie de nostra capella secundum leges regni nostri in nostro parliamento vel aliter coram nobis et nostro consilio jus suum debite prosequatur recepturus in hoc complementum justicie aut nostri consilii seu parliamenti decretum non perturbando aliter possessionem burgi communitatis aut burgensium predictorum sub omni pena que poterit inde sequi : Datum sub testimonio nostri magni sigilli apud Perth quarto decimo die mensis Februarii anno regni nostri secundo.

Translation.

Robert by the grace of God king of Scots, to our Chamberlain who shall be for the time, and to our justiciars, sheriffs, coronars, provosts and bailies of burghs, and our other ministers and faithful people to whose knowledge the present Letters shall come, greeting: Whereas, although lately full faith was made to us concerning the liberties and bounds of our burgh of Irvine by ancient evidents, at our mandate seen read and diligently inspected, nevertheless however, for our fuller information, and for the declaration of the bounds and liberties of the same, we caused diligent inquiry to be made by good and faithful men of the country and others by whom the truth of the matter might be better known, whereby it was fully manifest to us concerning the liberties and bounds foresaid ; and for the

perpetual declaration of these liberties and bounds we have caused to be made our Charter or Confirmation under our great seal for the said burgh, burgesses and community thereof, as it is known these and other things are more fully contained in our said Charter or Confirmation of the said liberties and bounds: We therefore, by the tenor of these presents, strictly command you, and each of you, and others whom it concerns or may concern, that in no manner ye presume to vex oppress or disturb the said burgh, burgesses or community thereof, contrary to the tenor of our said charter, or contrary to the liberties of the said burgh; or any one of you presume to vex oppress or in any manner disturb them, or permit this to be done by others in as far as in you lies: If, however, any person thinks himself aggrieved in this matter conjunctly or severally, We will and order that if he thinks he is in the right he may duly prosecute his suit by Brieves of common justice from our chancery, according to the laws of our kingdom, in our Parliament, or otherwise before us and our Council, to receive in this matter full justice or a decree of our Council or Parliament, not disturbing in any other manner the possession of the said burgh, community, or burgesses, under every penalty which may thence ensue: Given under the testimony of our great seal at Perth the fourteenth day of the month of February in the second year of our reign.

6. *Charter by King Robert the Second to the Burgh of Irvine, of a piece of ground for their Council-House.—22d October* 1386.

Robertus Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue clericis et laycis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse ad decorem burgi nostri de Irwyne burgensibus et communitati ejusdem unam peciam terre habentem quadraginta pedes in longitudine et triginta pedes in latitudine in vico fori ejusdem burgi in qua construere poterint unam domum decentem et honestam in qua sua consilia communia teneant et secreta ut sit eis in pretorium et suis successoribus in futurum Tenendam et habendam eisdem burgensibus et eorum successoribus imperpetuum de nobis et heredibus nostris in feodo et hereditate per metas et divisas superius expressatas cum omnibus et singulis libertatibus commoditatibus aysiamentis et justis pertinenciis quibuscunque Reddendo inde nobis et heredibus nostris dicti burgenses et eorum successores unum

denarium argenti in festo Assumpcionis beate Virginis annis singulis nomine albe firme si petatur tantum pro omni alio servicio seculari In cujus rei testimonium presenti carte nostre nostrum precepimus apponi sigillum: Testibus reverendissimo in Christo patre Waltero Dei gracia sedis apostolice Cardinali venerabili in Christo patre Johanne episcopo Dunkeldensi cancellario nostro Johanne primogenito nostro de Carric senescallo Scocie Roberto de Fyf et de Menteth Jacobo de Douglas filiis nostris dilectis comitibus Archebaldo de Douglas et Thoma de Erskyne consanguineis nostris militibus: Apud Irwyne vicesimo secundo die Octobris anno regni nostri sextodecimo.

Translation.

Robert by the grace of God king of Scots to all good men of his whole land, clergy and laity, Greeting: Know ye that we have given and granted, and by this our present charter confirmed, for the ornament of our burgh of Irvine, to the burgesses and community thereof, a piece of ground having forty feet in length and thirty feet in breadth, in the market street of the said burgh, on which they may build a decent and fair house, in which they may hold their public and private Councils, that it may be a Court-House to them and their successors in future. To have and to hold to the said burgesses and their successors for ever, of us and our heirs in fee and heritage, by the bounds and divisions above expressed, with all and sundry liberties, conveniences, easements, and just pertinents whatsoever, rendering therefor to us and our heirs, the said burgesses and their successors, one penny of silver, at the feast of the Assumption of the blessed Virgin, every year, in name of blench ferme, if it is required only, for all other secular service. In testimony of which thing we have ordered our seal to be appended to this our present charter: Witnesses, the most reverend father in Christ, Walter by the grace of God cardinal of the apostolic see, the venerable father in Christ John bishop of Dunkeld, our chancellor, John of Carrik our first-born son, Steward of Scotland, Robert earl of Fife and of Menteth, James earl of Douglas, our beloved sons, Archibald of Douglas and Thomas of Erskine our cousins, knights: At Irvine the twenty-second day of October in the sixteenth year of our reign.

7. *Confirmation by King Robert the Third of the Charter* (*No.* 4 *hereof*) *in favour of the Burgh of Irvine.—2d January* 1390-1.[1]

Robertus Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos cartam recolende memorie domini Roberti Dei gracia quondam regis Scotorum illustris progenitoris nostri de mandato nostro visam lectam inspectam et diligenter examinatam non rasam non abolitam non cancellatam nec in aliqua sui parte viciatam intellexisse ad plenum sub hac forma Robertus (etc., as in No. 4 *supra*) Quamquidem cartam donacionem et concessionem in eadem contentas in omnibus punctis suis et articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectu in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris ut premissum est imperpetuum confirmamus salvo servicio nostro In cujus rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum: Testibus venerabilibus in Christo patribus Waltero et Matheo Sancti Andree et Glasguensis ecclesiarum episcopis Roberto comite de Fiffe et de Menteith fratre nostro carissimo, Archibaldo comite de Douglas domino Galwidie Jacobo de Douglas domini de Dalkeith Thoma de Erskine consanguineis nostris dilectis militibus et Alexandro Cokburne de Langtoun custode magni sigilli nostri: Apud Edinburgh secundo die mensis Januarii anno regni nostri primo.

Translation.

Robert by the grace of God King of Scots to all worthy men of his whole land, clergy and laymen, greeting: Wit ye us to have fully known a Charter of lord Robert of worthy memory, by the grace of God sometime King of Scots, our illustrious progenitor, at our command seen, read, inspected, and diligently examined, not erased, wasted, cancelled, nor in any part of it vitiated, under this form: Robert (etc., as in No. 4 *supra*), the which charter, gift and grant contained in the same, in all its points and articles, conditions and modes, and circumstances of it whatsoever, in form and effect, in all and throughout all, we do approve, ratify, and for us and our heirs, as is premised, for ever confirm, saving our service: In witness whereof to this our present charter of confirmation we have commanded our seal to be set: the witnesses being the venerable fathers in Christ, Walter bishop of St. Andrews, and Matthew bishop of Glasgow, Robert earl of Fife and of Menteth our dearest brother, Archibald earl of Douglas lord of Galloway, James of Douglas lord of Dalkeith, Thomas of Erskine, our beloved kinsmen, knights, and Alexander Cokburne of Langtoun, keeper of our great seal: At Edinburgh the second day of the month of January, of our reign the first year.

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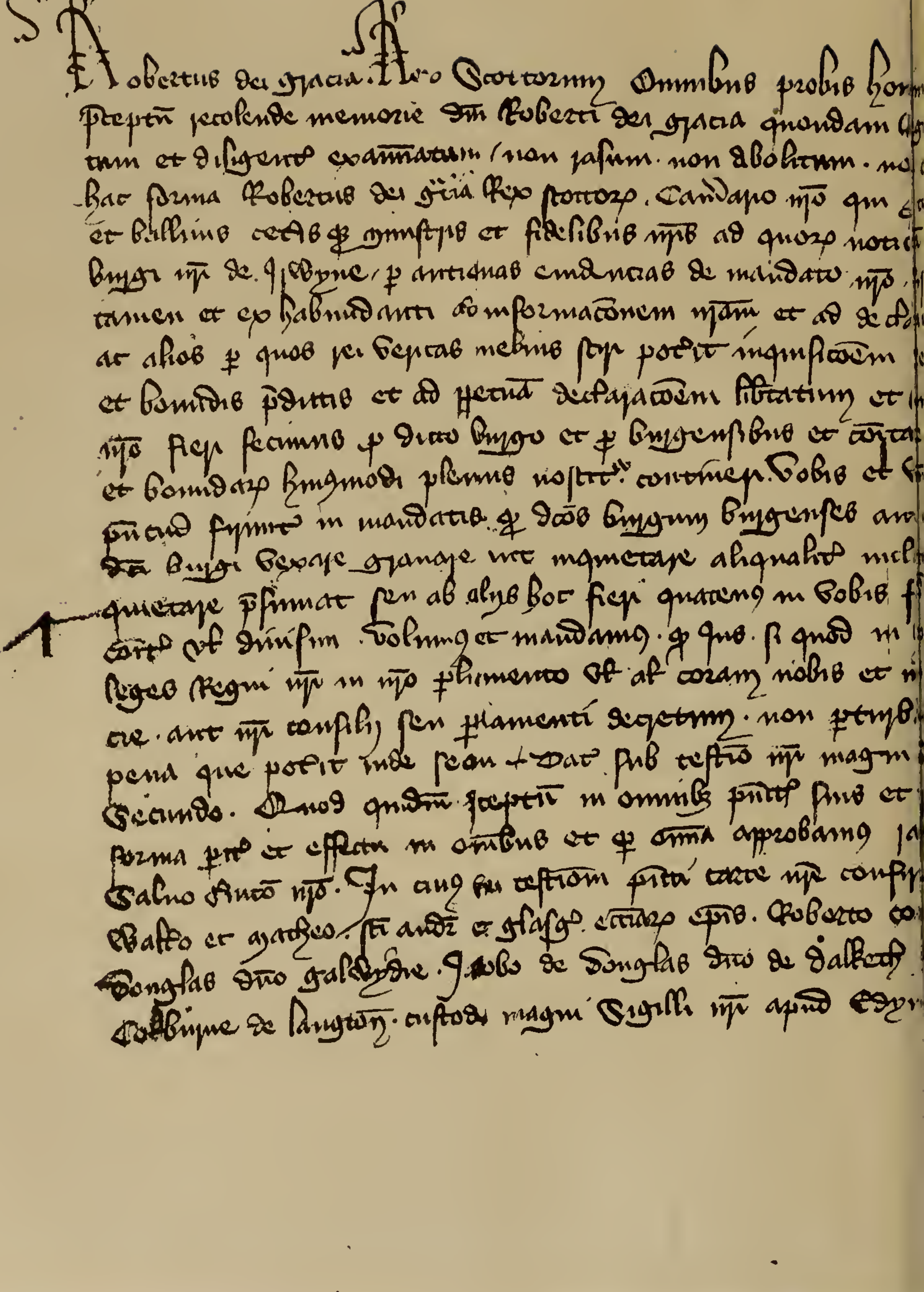
[1] This document is embodied in No. 10 *infra*.

8. *Confirmation by King Robert the Third of the Letter of Protection (No. 5 hereof) in favour of the Burgh of Irvine.—2d January* 1390-1.

Robertus Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos quoddam preceptum recolende memorie domini Roberti Dei gracia quondam regis Scottorum illustris progenitoris nostri de mandato nostro visum lectum inspectum et diligenter examinatum non rasum non abolitum non cancellatum nec in aliqua sui parte viciatum intellexisse ad plenum sub hac forma Robertus Dei gracia rex (etc., as in No. 5 *supra*). Quodquidem preceptum in omnibus punctis suis et articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectu in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris ut premissum est imperpetuum confirmamus salvo servicio nostro In cuius rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum: Testibus venerabilibus in Christo patribus Waltero et Matheo Sancti Andree et Glasguensis ecclesiarum episcopis Roberto comite de Fif et de Meneteth fratre nostro carissimo Archebaldo comite de Douglas domino Galwydie Jacobo de Douglas domino de Dalketh Thoma de Erskyne consanguineis nostris dilectis militibus et Alexandro de Cokburne de Langton custode magni sigilli nostri apud Edynburgh secundo die mensis Januarii anno regni nostri primo.

Translation.

Robert by the grace of God King of Scots, to all worthy men of his whole land, clergy and laymen, wisheth salvation: wit ye us to have fully known a certain precept of lord Robert of worthy memory, by the grace of God sometime King of Scots, our illustrious progenitor, at our command seen, read, inspected, and diligently examined, not erased, not wasted, not cancelled, nor in any part of it vitiated, under this form: Robert by the grace of God, King (etc., as in No. 5 *supra*). Which precept, in all its points



Robertus dei gracia Rex Scottorum Omnibus probis hom

preceptum recolende memorie domini Roberti dei gracia quondam

tum et diligenter examinatum non rasum non abolitum . ne

hac forma Robertus dei gracia Rex Scottorum . Camerario nostro qui

et balliuis certis & ministris et fidelibus nostris ad quorum notici

burgi nostri de Irwyne per antiquas euidencias de mandato nostro

tamen et ex habundanti ad informacionem nostram et ad rec

ac alios per quos rei veritas melius sciri poterit inquisicionem

et bondis predictis et ad eorum declaracionem libertatum et

nostro Regi fecimus per dicto burgo et per burgensibus et commun

et bondarum huiusmodi plenius nostro contineri . Vobis et

precise firmiter in mandatis quod dictos burgum burgenses a

dicti burgi vexare grauare vel inquietare aliqualiter mol

quietare presumat seu ab aliis sic fieri quatenus in vobis f

coram vel duxerim volumus et mandamus quod quis si quod in

leges Regni nostri in nostro parliamento vel alias coram nobis et n

cie aut nostri consilii seu parliamenti decretum non p

pena que poterit inde sequi + Dat sub testimonio nostri magni

Secundo . Quod quidem preceptum in omnibus punctis suis et

forma sua et effectum in omnibus et per omnia approbamus ra

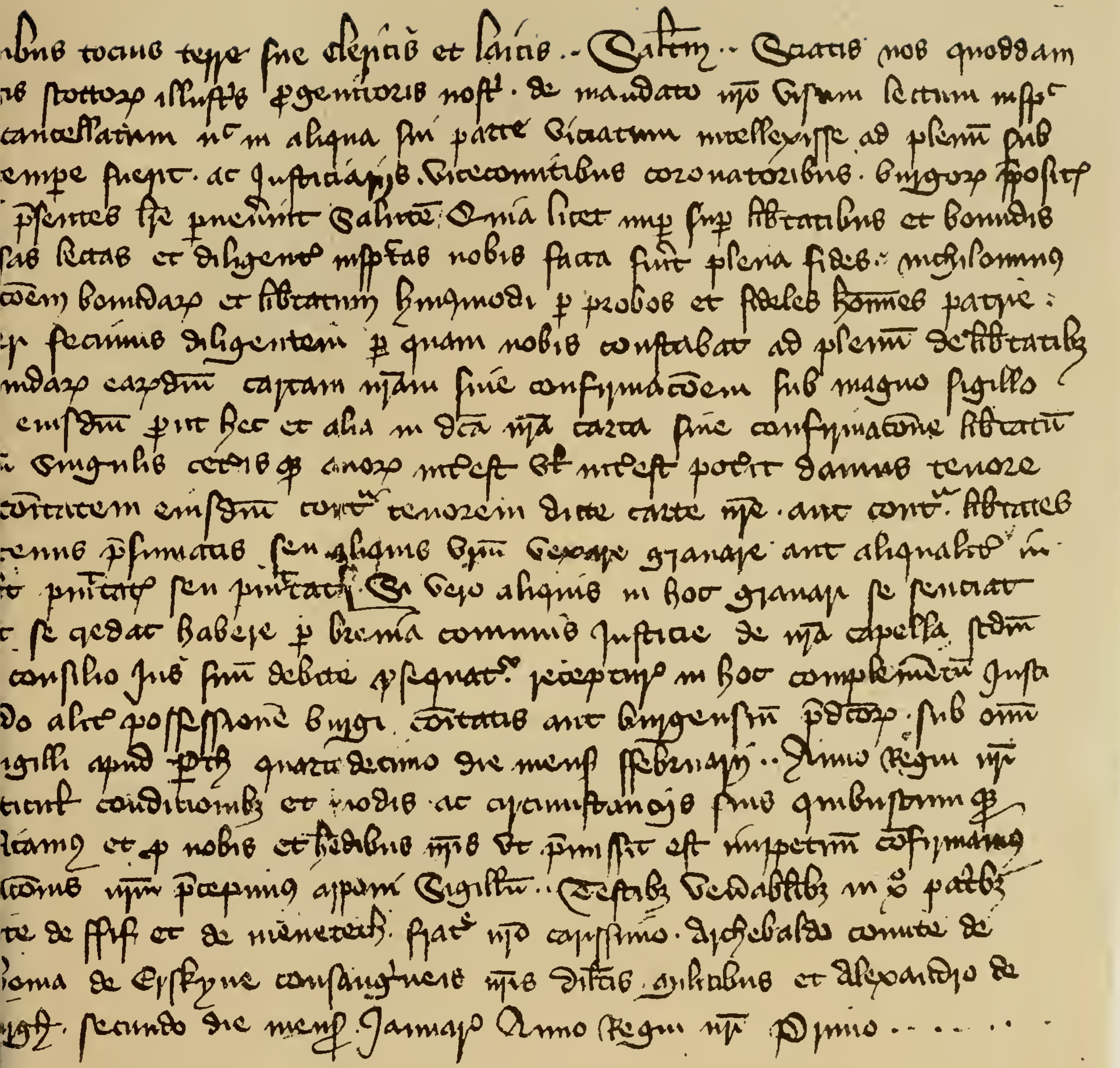
Saluo Seruicio nostro . In cuius rei testimonium presenti carte nostre confir

Waltero et Matheo . sancti Andree et Glasguensis ecclesiarum episcopis . Roberto co

Douglas domino Galwidie . Jacobo de Douglas domino de Dalketh

Cokburne de Langton . custode magni Sigilli nostri apud Edyn

CONFIRMATION BY ROBERT III. OF THE LETTER OF PROT



TION TO THE BURGH OF IRVINE BY ROBERT II. 2ND JANUARY 1390-1.

and articles, conditions and modes, and in whatsoever its circumstances, in form as well as in effect, in all and throughout all, we do approve, ratify, and for us and our heirs, as is premised, for ever confirm, saving our service: In witness whereof to this our present charter of confirmation we have commanded our seal to be put; the witnesses being the venerable fathers in Christ, Walter and Mathew, bishops of the churches of Saint Andrews and Glasgow; Robert earl of Fife and of Menteth, our dearest brother, Archibald earl of Douglas, lord of Galloway, James of Douglas, lord of Dalkeith, Thomas of Erskyne, our beloved kinsmen, Knights; and Alexander of Cokburne of Langton, keeper of our great seal; at Edinburgh the second day of the month of January, in the first year of our reign.

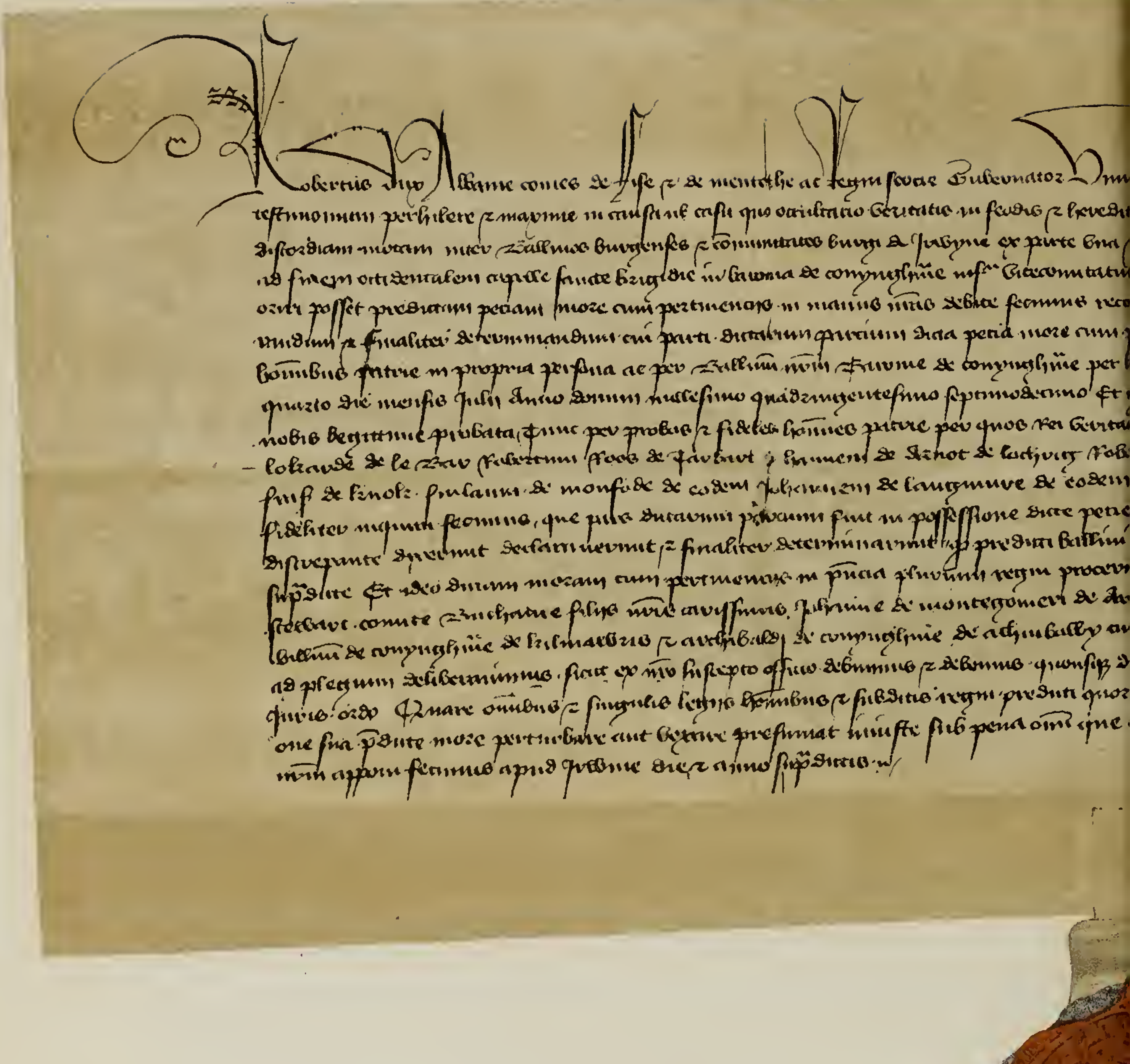
9. *Letters of Notification by Robert Duke of Albany, Governor of Scotland, of the Decision regarding the right of the Burgh of Irvine to a piece of Moorland.—24th July* 1417.

Robertus dux Albanie comes de Fife et de Mentethe ac regni Scocie gubernator universis et singulis ad quorum noticiam presentes littere pervenerint salutem Quia pium est et meritorium veritati testimonium perhibere et maxime in causa vel casu quo occultacio veritatis in feodis et hereditatibus innocentibus [injuriam] poterit generari Hinc est quod universitati vestre notificamus tenore presencium litterum quod propter certam discordiam motam inter ballivos burgenses et communitates burgi de Irwyne ex parte una et Willelmum Fraunces de le Stane ex parte altera penes certum clameum hereditarie possessionis unius pecie moris jacentis ad finem occidentalem capelle sancte Brigidie in baronia de Conynghame infra vicecomitatum de Are propter quam discordiam motam inter partes predictas et ad evitandum malum et dampnum que exinde oriri posset predictam peciam more cum pertinenciis in manus nostras debite fecimus recognosci tempore longo retroacto Et post modum ad sedandum et cessandum discordiam antedictam et ad videndum declarandum et finaliter determinandum cui parti dictarum parcium dicta pecia more cum pertinenciis debeat pertinere et de jure et racione remanere partes predictas unacum melioribus et fidelioribus hominibus patrie in propria persona ac per ballivum nostrum baronie de Conynghame per literas nostras patentes sub sigillo nostro legittime fecimus sumoniri quod comparerent coram nobis die Sabboti vicesimo quarto die mensis Julii anno Domini millesimo

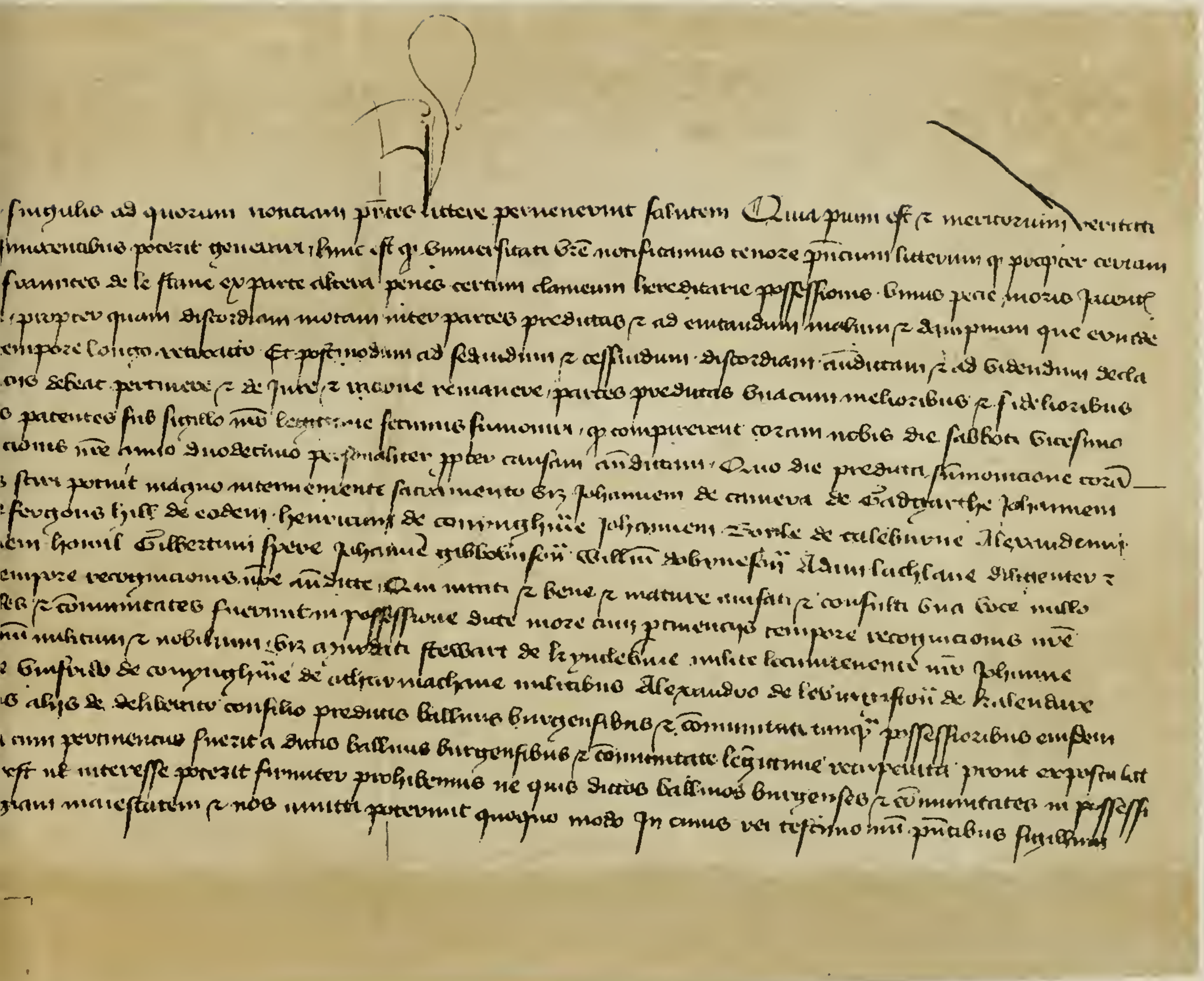
quadringentesimo septimo decimo et gubernacionis nostre anno duodecimo personaliter propter causam antedictam Quo die predicta summonicione coram nobis legittime probata Tunc per probos et fideles homines patrie per quos rei veritas melius sciri potuit magno interveniente sacramento videlicet Johannem de Camera de Gadgarthe Johannem Lokarde de le Bar Robertum Roos de Tarbart Johannem de Arnot de Lochrig Robertum de Fergoushill de eodem Henricum de Conynghame Johannem Boyle de Caleburne Alexandrum Fraser de Knok Finlaium de Monfode de eodem Johannem de Langmure de eodem Johannem Homil Gilbertum Spere Johannem Gibbounsoun Willelmum Dobynesoun et Adam Lachlane diligenter fideliter inquiri fecimus que pars dictarum parcium fuit in possessione dicte pecie more tempore recognicionis nostre antedicte Qui jurati et bene et mature avisati et consulti una voce nullo discrepante dixerunt declaraverunt et finaliter determinarunt quod predicti bailivi burgenses et communitates fuerunt in possessione dicte more cum pertinenciis tempore recognicionis nostre supradicte Et ideo dictam moram cum pertinenciis in presencia plurium regni procerum baronum militum et nobilium, videlicet Murdaci Stewart de Kynclevine militis locum tenentis nostri Johannis Stewart comitis Buchanie filiorum nostrorum carissimorum Johannis de Montegomeri de Ardrossane Umfridi de Conynghame de Achtirmachane militum Alexandri de Levingistoun de Kalendare Willelmi de Conynghame de Kilmawris et Archibaldi de Conynghame de Achinbawy, cum multis aliis de deliberato consilio predictis ballivis burgensibus et communitati tanquam possessoribus eiusdem ad plegium deliberavimus sicut ex nostro suscepto officio debuimus et debemus quousque dicta mora cum pertinenciis fuerit a dictis ballivis burgensibus et communitate legittime recuperata prout expostulat juris ordo Quare omnibus et singulis legiis hominibus et subditis regni predicti quorum interest vel interesse poterit firmiter prohibemus ne quis dictos ballivos burgenses et communitates in possessione sua predicte more perturbare aut vexare presumat injuste sub pena omni que erga regiam majestatem et nos amitti poterunt quoquo modo: In cuius rei testimonium presentibus sigillum nostrum apponi fecimus apud Irwine die et anno supradictis.

TRANSLATION.

Robert Duke of Albany, earl of Fife and of Menteith, and Governor of the kingdom of Scotland, to all and sundry to whose notice these present



LETTERS OF NOTIFICATION BY ROBERT DUKE OF ALBANY.



singulis ad quorum noticiam presentes littere pervenerint salutem Quia pium est et meritorium veritati
…poterit generari, hinc est quod universitati vestre notificamus tenore presencium litterarum quod propter certam
…francis de le Stane ex parte altera penes certum clameum hereditarie possessionis unius prati, more vocate
…propter quam discordiam motam inter partes predictas et ad evitandum malum et dampnum que evenire
tempore longo retroacto Et postmodum ad sedandum et essedandum discordiam antedictam et ad videndum decla
…eius debeat pertinere et de jure, et in quo remanere partes predictas unacum melioribus et fidelioribus
…s patentes sub sigillo nostro locumtenentie fecimus summoniri, qui comparuerunt coram nobis die sabbati vicesimo
…tionis nostre anno duodecimo personaliter propter causam antedictam. Quo die predicta summonitione cond—
…s fieri potuit magno interveniente sacramento viz. Johannem de Camera de Cadgarthe Johannem
…e Fergous hill de eodem Henricum de Cunynghame Johannem [illegible] de [illegible] Alexandrum
…cum [illegible] Gilbertum Frere Johannem Gibbonsoun Willelmum Robynesoun Adam Lachlane dicentes et
…tempore recognitionis nostre antedicte. Quam inito et bene et mature concilio et consilio una voce nullo
…s et communitates fuerunt in possessione dicte more cum pertinenciis tempore recognitionis nostre
…militum et nobilium viz. Andree Stewart de Kyndelune militis locumtenentis nostri Johanne
…de Cunynghame de [illegible] militibus Alexandro de Levingstoun de Kalendare
…s aliis de deliberato consilio predictis ballivis burgensibus et communitati tunc possessoribus eiusdem
…cum pertinenciis fuerit a dictis ballivis burgensibus et communitate legittime recuperata prout expressum est
…est ne interesse poterit firmiter prohibemus ne quis dictos ballivos burgenses et communitatem in possessi
…regiam maiestatem et nos inniti poterunt quovis modo In cuius rei testimonium presentibus sigillum

OR OF SCOTLAND TO THE BURGH OF IRVINE

letters shall come, Greeting: Because it is a pious and worthy duty to bear witness to the truth, and chiefly in the cause or case in which the hiding of the truth would engender wrong to the innocent in their fees and heritages, therefore it is that we notify to your university by the tenor of the present letters, that on account of a certain discord moved between the bailies, burgesses, and community of the burgh of Irvine on the one part, and William Frances of the Stane, on the other part, concerning a certain claim of heritable possession of a piece of muir lying at the west end of the chapel of St. Bridget, in the barony of Cuninghame and shire of Ayr: on account of which discord moved between the parties foresaid, and in order to evite the evil and hurt which might arise therefrom, we caused the aforesaid piece of muir with the pertinents to be duly recognosced in our hands, a long time bygone: and afterwards, to pacify and put an end to the discord aforesaid, and to have it seen, declared, and finally determined to which of the said parties the said piece of muir with the pertinents ought to belong, and of right and reason to remain, we caused the parties foresaid, together with the best and most trusty men of the country, in proper person, and by our bailie of our barony of Cuninghame, to be lawfully summoned by our letters patent under our seal, that they should compear personally before us on Saturday the 24th of July in the year of the Lord 1417, and of our government the twelfth, on account of the cause aforesaid: on which day, the foresaid summons being lawfully proved before us,—then by prudent and faithful men of the country, by whom the truth of the matter might be best known, the great oath intervening, namely, John of Chalmer of Gadgirth, John Lockhart of the Bar, Robert Ross of Tarbart, John of Arnot of Lochrig, Robert of Fergushill of that ilk, Henry of Cuninghame, John Boyle of Kelburn, Alexander Fraser of Knok, Finlay of Monfod of that ilk, John of Langmure of that ilk, John Homil, Gilbert Spere, John Gibbonson, William Dobynson, and Adam Lachlane, we caused it to be diligently inquired which of the said parties was in possession of the said piece of muir at the time of our recognition aforesaid: Who having been sworn, and well and ripely advised and consulted, with one voice, none disagreeing, said, declared, and finally determined, that the foresaid bailies, burgesses, and community, were in possession of the said muir with the pertinents, at the time of our recognition above said; and therefore, in presence of many of the chief men of the kingdom, barons, knights, and nobles, namely, Murdach Stewart of Kinclevin, knight, our lieutenant, John

Stewart Earl of Buchan, our dearest sons, John of Montgomery of Ardrossan, Humfrey of Cuninghame of Auchtermachane, knights, Alexander of Livingston of Calendar, William of Cuninghame of Kilmaurs, and Archibald of Cuninghame of Auchinbawy, with many others, of deliberate counsel, we have, as by our office undertaken we ought to do, delivered the said muir with the pertinents to the aforesaid bailies, burgesses, and community, as possessors of the same, at pledge, until the same shall be lawfully recovered from them as the order of law requires: Wherefore, we firmly charge all and sundry liege men and subjects of the kingdom whom it may concern, that none presume unjustly to disturb or vex the said bailies, burgesses, and community in their possession of the foresaid muir, under all pain which they may incur in whatsoever manner towards the regal majesty or us: In witness whereof, we have caused our seal to be set to these presents, at Irvine, day and year above mentioned.

10. *Charter by King James (the First) renewing the Charter No. 7, supra.*—[Not dated.]

Jacobus Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis quia ex supplicacione nobis et consilii nostri dominis per dilectos nostros ballivos et communitatem burgi nostri de Irwyne porrecta concepimus quod dicti ballivi et communitas per nobilissimos progenitores nostros cum libertatibus et privilegiis sicuti alii nostri burgi infra regnum nostrum infeodantur prout eorum carte et infeofamenta desuper confecta proportant Et quod una pars suarum evidenciarum caduca et in punctu perdicionis existit unde prefati ballivi et communitas nobis de remedio supplicarunt Nos igitur utilitatem et commodum dictorum ballivorum et communitatis ac burgi nostri predicti volentes necnon libertates et privilegia eisdem per dictos nostros progenitores concessas observare cupientes ex dictorum dominorum deliberacione ordinavimus quamdam cartam per progenitorem nostrum Robertum Scotorum regem prenominatis ballivis communitati et burgo confectam reformari magnoque sigillo nostro de novo sigillari Cuiusquidem carte tenor sequitur et est talis Robertus Dei gracia Rex Scotorum [etc., as in No. 7 *supra*].

Abstract.

Charter by King James (the First) narrating that the bailies and community of the burgh of Irvine had supplicated the King and his lords of council to remedy the decay of some of their charters conferring privileges upon the burgh, and therefore ordaining the renewal of the charter No. 7, *supra,* and that the great seal should be again appended thereto. [Not dated.]

11. *Decreet of the Commissioners of Burghs in Parliament anent Waste Burgh Lands.—6th March* 1429-30. [Notarial Copy.]

In Dei nomine amen Noverint universi hoc presens publicum instrumentum visuri vel audituri quod anno ab incarnacione eiusdem millesimo quadringentesimo vicesimo nono indictione octava mensis Marcii die sexto pontificatus sanctissimi in Christo patris et domini nostri domini Martini divina providencia Pape quinti anno decimo tercio. In mei notarii publici et testium subscriptorum presencia personaliter constitutus Johannes Kerde commissarius burgi de Irewin peciit copiam cuiusdam decreti facti per universitatem burgorum et commissarios eorundem sibi dari per publicum instrumentum. Cuiusquidem decreti forma sequitur in hec verba. In parleamento domini nostri Regis Jacobi tento apud Pertht die Lune sexto die mensis Marcii cum continuacione dierum de anno Domini millesimo quadringentesimo vicesimo nono Statutum fuit ordinatum et finaliter decretum per universitatem commissariorum burgorum Scocie in dicto parleamento existencium unacum consensu et assensu eorundem quod si alique terre in aliquo burgo Scocie fuerint vaste et non distringibiles pro firma Regia dicti burgi quod aldermannus eiusdem burgi vel unus vicinus eiusdem habens ad hoc potestatem per communitatem dicti burgi sub sigillo communi eorundem faciet processum per terre et lapidis capcionem de dictis terris coram uno sergiando dicti burgi et testibus vicinis eiusdem presentando huiusmodi terram et lapidem ad quatuor curias capitales in defectu solucionis firme Regie non solute nominando summam firme Regie preteritam et annos preteritos ad quamlibet curiam processus et ad quartam curiam si huiusmodi terre non fuerint redempte per solucionem firme Regie tunc inde debite dabitur iudicium proprietatis de dictis terris remanendis in feodo et hereditate ac in proprietate communitati dicti burgi imperpetuum sine recuperacione cuiuscunque prosequentis. Super quibus quidem statuto ordinacione et decreto predictus Johannes Kerde peciit a me notario publico subscripto sibi publicum fieri instrumentum Acta fuerunt hec anno indictione mense die et loco ac pontificatu supradictis presentibus omnibus commissariis burgorum in dicto parleamento existentibus testibus ad premissa vocatis specialiter et rogatis.

Et ego Willelmus de Kynnarde clericus Sancti Andree diocesis publicus Imperiali auctoritate notarius Quia premissis omnibus et singulis dum ut premittitur agerentur et fierent unacum prenominatis testibus presens interfui eaque vidi scivi et audivi ac ad instanciam predicti Johannis Kerde in hanc publicam formam redegi presensque publicum instrumentum me aliis negociis occupato per alium scribi feci id meis signo et subscripcione solitis et consuetis signavi in testimonium omnium et singulorum premissorum. W. de K.

Abstract.

Notarial Instrument certifying that, in presence of a notary and witnesses, John Kerde, commissioner of the burgh of Irvine, craved a copy of a Decree, made by the whole of the burghs and commissioners of the same, to be given to him by public instrument; which decree was to the effect that, in the parliament held at Perth on Monday 6th March, with continuation of days, in the year 1429, it was statute and ordained by the whole of the commissioners of the burghs of Scotland, present in the said parliament, with consent of the same, that if any lands in any burgh of Scotland were waste and not distrainable for the King's ferme of the said burgh, the alderman of the burgh or a neighbour of the same, having power by the community of the burgh under their common seal, should make process by taking of earth and stone of the said lands in presence of a sergeant of the burgh, and witnesses, neighbours of the same, and presenting them to the four head courts, in default of payment of the King's ferme, naming the sum and the years past, at each court; and at the fourth court, if the lands shall not have been redeemed by payment of the King's ferme then due, judgment shall be given of the property of the said lands, to remain in fee heritage and property to the community of the said

burgh for ever, without recovery on the part of any pursuer: On which statute and decree the said John Kerde asked an instrument from the notary; the witnesses being all the commissioners of the burghs present in parliament and William of Kynnarde, clerk of St. Andrew's diocese, notary.

12. *Transumpt before the Official of Lothian (on 28th September* 1482), *of Grants by Robert, Steward of Scotland, to Sir Hugh of Eglintoun, of the offices of Bailie of Cunynghame and Chamberlain of Irwyne, and of other writs relating to the same offices*—1336-1448.[1]

In Dei Nomine, Amen: Noverint universi et singuli hoc presens publicum instrumentum transumptum inspecturi, lecturi et audituri, quod nos, Ricardus Roberti, Rector ecclesie perochialis de Suthek, ac venerabilis et egregii viri, Domini Officialis Sanctiandree infra Archidiaconatum Laudonie, commissarius ad universitatem causarum specialiter deputatus, ad instanciam nobilis et potentis domini, Hugonis Domini Mowngumry, omnes et singulos communiter et divisim, interesse habentes, seu habere putantes, vel quos infrascriptum tangit negocium, seu tangere poterit quomodolibet in futurum, ad comparendum coram nobis, certis die et loco inferius designatis ad videndum et audiendum quasdam cartas, literas, evidencias, indenturas et quitancias inferius scriptas, concernentes officium Balliatus de Cunynghame, et officium Camerarie burgi de Irwyne, transsumi, transcribi et exemplari, et in publicam transsumpti formam redigi, per edictum publicum, in valuis ecclesie Beati Egidii de Edinburgh, affixum et publicatum, peremptorie citari fecimus, cum intimacione debita, ut moris est: Quibus die et loco advenientibus, comparuit coram nobis prefatus Hugo Dominus Mowngumry, unacum suo advocato sive prolocutore, Domino Johanne Symontoun, presbytero, et dictas literas citatorias debite execucioni demandatas, presentavit; quibus receptis, vocatisque in eisdem contentis, et non comparentibus, prefatus Dominus Johannes Symontoun contumacias accusavit, et in penam suarum contumaciarum, dictas cartas, literas, endenturas et evidencias, judicialiter produxit et exhibuit; hujusmodi sub tenore:—

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[1] *Memorials of the Montgomeries*, vol. ii. pp. 5-7.

[*Then follow Charters*]

(1.) Robertus Senescallus Scocie, etc. etc.

[*and*]

(2.) Robertus Senescallus Scocie, etc. etc.

[*and*]

(3.) Omnibus hoc scriptum visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne, Salutem in Domino: Quia concessimus et hereditarie donavimus nobili viro, Domino Hugoni de Eglintoun, Domino eiusdem, dilecto fratri nostro, et heredibus suis, officium Ballivi Baronie de Cunyngham, unacum officio Camerarii burgi nostri de Irwyn, ad que quidem officia nullus feodus in certo consequitur nec debetur: Noveritis nos dedisse, et per presentes concessisse eidem Domino Hugoni et heredibus suis hereditarie, tertiam partem omnium exituum et amerciamentorum in dictis curiis contigencium qualitercunque: Et hoc omnibus quorum interest, vel poterit interesse, tenore presentium innotescat: In cujus rei testimonium sigillum nostrum, unacum sigillo Johannis Senescalli, Comitis de Carrik, Domini de Kyle et de Atholia, filii nostri primogeniti, presentem concessionem ut predicitur confirmans et ratificans, est appensum: Testibus, religioso viro, Domino Roberto, Dei gracia Abbate de Kilwynin, nobilibus viris, Dominis Johanne de Lindesaye Domino de Thurstoune, Adam de Fullartoun Domino de Corsby, militibus; Kennydy, Domino de Donhour, Johanne Wallace Domino de Richardtoun, Thoma Sympill Domino de Elyastoun, Johanne Graye de Estelwoude, et multis aliis. Hec autem litera sigillata erat unico sigillo, sed tamen portabat signum ubi aliud sigillum erat affixum.

ABSTRACT.

Notarial Transumpt at the instance of Hugh Lord Montgomery, of certain charters and other writs concerning the offices of Bailie of Cunninghame and Chamberlain of the Burgh of Irvine: Done before Richard Robertson, rector of the parish church of Southwick, commissary depute of the official of St. Andrews, within the Archdeanery of Lothian, in the consistorial place of the church of St. Giles of Edinburgh on 28th September 1482: of which charters the first and second above noted are dated at Erth, 15th January 1366-7; and the third, as above copied, is not dated, but is followed by a charter dated at Renfrew 30th May 1370.

TRANSLATION.

To all who shall see or hear this writing, Robert, Steward of Scotland, earl of Stratherne, wisheth salvation in the Lord : Whereas we have granted, and heritably given, to a noble man, Sir Hugh of Eglintoun, lord of that ilk, our beloved brother, and his heirs, the office of bailie of the barony of Cunyngham, together with the office of chamberlain of our burgh of Irvine, to which offices no certain fee accrues or is due,—wit ye us to have given, and by these presents to have granted, to the said Sir Hugh and his heirs, the third part of all the issues and fines of whatsoever kind happening in the said courts : and this is notified by the tenor of these presents, to all whom it may concern : In witness whereof, our seal, together with the seal of John Stewart, earl of Carrick, Lord of Kyle and of Athole, our firstborn son, is appended, confirming and ratifying the present grant as is before said : witnesses, the religious man, lord Robert, by the grace of God, abbot of Kilwinning, the noble men Sir John of Lindesay lord of Thurstoun, Sir Adam Fullartoun lord of Corsby, knights ; Kennedy lord of Dunure, John Wallace lord of Riccartoun, Thomas Sempill lord of Elliestoun, John Gray of Eastwood, and many others.

[This Letter was sealed with only one seal, but it bore a mark where the other seal was affixed.]

13. *Extracts from the Minutes of the Justiceaires, anent the Repledging of certain Burgesses of Irvine.*—1459-60, 1472.

In curia Itineris Justiciarie domini nostri Regis tenta et inchoata apud burgum de Air tercio die mensis Marcii anno Domini millesimo quadringentesimo quinquagesimo nono Coram honorabili et potenti domino Andrea domino Avindaile gardiano occidentalium Marchiarum Scotie versus Angliam ac justiciario domini Regis ex parte australi aque de Fortht generaliter constitutus comparuit Walterus Grahame ballivus de Irwyne et replegiavit Willelmum Burne Johannem Burne Thomam Burne Mariotam Burne Mariotam Trane Georgeum Pennyr Alexandrum Howstoun Johannem Mur juniorem et Jacobum Wilsone ad libertatem dicti burgi de Irwyne.

Ita est in libro Adjornalis Nicholaus Craufurd clericus Justiciarie.

In curia Itineris Justiciarie domini nostri Regis tenta et inchoata apud burgum de Air die mensis Januarii die Martis anno Domini millesimo quadringentesimo sexagesimo quinto coram honorabilibus viris Willelmo Edmondstoun de Duntreth et Gilberto Kennedy de Bargany justiciariis domini nostri Regis ex parte australi aque de Forth generaliter constituti comparuerunt ballivi de Irwyne et replegiarunt Thomam Burne Willelmum Pyle Jacobum Burne Finlaium Park Johannem Achinmade Johannem Jamesone et uxorem Johannis Achinmade Thomam Cocherane Margaretam Stupqhill Alexandrum Cuninghame Margaretam Dene ad libertatem dicti burgi de Irwyne.

Ita est in libro adjornalis Nicholaius Craufurd clericus Justiciarie.

In curia Itineris Justiciarie domini nostri Regis tenta et inchoata apud burgum de Air die Lune secundo mensis Novembris anno Domini millesimo quadringentesimo septuagesimo secundo per honorabilem virum magistrum David Guthere de eodem justiciarium domini nostri Regis ex parte australi aque de Fortht generaliter constituti comparuerunt ballivi de Irwyne et replegiarunt personas subscriptas ad previlegium dicti burgi viz. Willelmum Pyll Willelmum Dongane Johannem Jamesone Agnetam Logane Mariotam Fresale Elesabetht Wod Willelmum Dogman Archibaldum Stewart Margaretam Eskdale et Johannem Mylne.

Ita est in libro adjornalis Nicholaius Craufurd clericus Justiciarie.

In curia Itineris Justiciarie domini nostri Regis tenta et inchoata apud burgum de Air die Sabbato tercio coram honorabili et potenti domino C[olino] co[mi]te Ergadie magistro hospicii supremi domini nostri Regis et Justiciario domini nostri Regis deputato comparuerunt ballivi de Irwyne et replegiarunt personas subscriptas ad previlegium dicti burgi, viz. Willelmum Fergusone Johannem Smytht Willelmum Cuninghame Johannem Watsone Johannem Watsone filium ejusdem Johannem Hill Eduardum Arnott Bertholomeum Holland Johannem Holland Galfridum Holland Cristoferum Paidzeing et Hugonem Cutlar.

Extractum de libris adjornalium supremi domini nostri Regis per me Nicholaium Craufurd de Oxingangis clericum Justiciarie generalem ejusdem sub meis signo et subscriptione manualibus.

NICHOLAIUS CRAUFURD,
Clericus Justiciarie.

Productum : J. MILLER.

Abstract.

Extracts from the Books of Adjournal regarding (1.) Repledging by Walter Grahame bailie of Irvine of William Burne, John Burne, Thomas Burne, Marion Burne, and others, to the liberty of the burgh of Irvine, in the court of Justice ayre of the King, held at the burgh of Ayr on 3d March 1459, before Andrew Lord Avondale, Warden of the West Marches of Scotland over against England, and Justiciar of the King on the south side of the Water of Forth.

(2.) Repledging by the bailies of Irvine of Thomas Burne, William Pyle, James Burne and others, in a Court of Justice ayre of the King, held at the burgh of Ayr in January 1465, before William Edmondstoun of Duntreth and Gilbert Kennedy of Bargany, Justiciars of the King on the south side of the Water of Forth.

(3.) Repledging by the bailies of Irvine of William Pyle, William Dongane and others in a Court of Justice ayre held at the burgh of Ayr 2d November 1472, by Mr. David Guthere of that ilk, justiciar of the King on the south side of the Water of Forth.

(4.) Repledging by the bailies of Irvine of William Fergusone, John Smyth and others in a Court of Justice ayre of the King, held at the burgh of Ayr before Colin Earl of Argyll, master of household to the King, and Justiciar depute. [Date obliterated.]

Extracted by Nicholas Craufurd of Oxengangs,[1] general clerk of Justiciary of the King.

14. *Memorandum of Papers produced, relating to the Earl of Eglinton's right to the office of Bailie and Chamberlain of Cunningham.*—1366-1482.

Ane Lettre of Bailyerie maid to Hew erle of Eglintoun be Robert erle of Stratherne of the office of bailzerie of the barony of Cuninghame makand na mentioun of blude nor of the burght, of the dait j^{m} iij^{c} lxvj yeris.

Ane uthir infeftment maid be the said Robert to the said Hew de exitibus ballie et camerarie of the said barony, of the dait the yeir forsaid.

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[1] Nicholas Craufurd of Oxengangs, Clerk of Justiciary, has a Precept from James V. for his infeftment in the lands of Poldrait, dated 29th April 1527.—*Reg. Sec. Sig.*, Lib. vii. fol. 66.

Ane uthir charter maid be the samin persoun to the said Hew de tertia parte exitibus amertiamentorum wantand ane dait officii camerarii infra burgum de Irwin.

Ane uthir charter maid be the said Robert to the said Hew of the said office of baillierie and chalmerlanrie within the burght of Irwin gevand the said Hew and his aris power to hald courtis to sett the saidis landis to ferme to replege the brakaris of the said office to punesche and uthiris to put in thair place, etc. quhilk evident is not halelie transumit Be ressoun the transsunpt declaris that it mycht not be red and thair mycht haif bene uthir provisionis thairintill.

Ane charter maid be King James to Alexander lord Montgwmery be resignatioun of Alexander his fader of all and haill the office of the barony of Cuninghame without ony mentioun of blude or chalmerlanrie of the dait j^{m} iiij^{c} xlviij yeris.

All thir evidentis ar transsumit in Edinburgh befor ane commissar callit Richardus Roberti upoun the xxviij day of Nouember j^{m} iiij^{c} lxxxij yeris And this transsunpt is bot modum vidimus without witnes or recognoscheing and na partie being summond thairto.

Ane charter maid be King James of the office of baillierie and chalmerlanrie gevin to Hew erle of Eglingtoune als frelie as his fader or his predecessouris held the samin of befoir.

Memorandum that within the court buik thair is na mentioun maid of ony burges of Irwin except ane that duelt in the burrowmur of Irwin quhilk wes nolder burges nor inhabitare of Irwin and the last court wes haldin perforce by Hewe.

Indorsed : The productioun of my lord of Eglintowne's letteres.

15. *Charter by King James the Fourth, ratifying all previous royal grants to the Burgh of Irvine.—8th August* 1511.

Jacobus Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos pro favore speciali quem gerimus erga dilectos nostros ballivos et communitatem burgi nostri de Irwin et pro ipsorum bono et gratuito servicio nobis impenso approbasse ratificasse ac pro nobis et successoribus nostris pro perpetuo confirmasse omnes et singulas

donaciones libertates privilegia et immunitates quascunque prefato nostro burgo de Irwin ac ballivis et communitati ejusdem per quondam nobilissimos progenitores et predecessores nostros quorum animabus propicietur Deus prius datas et concessas necnon omnes cartas scripta et evidencias eis desuper confectas Tenendas et habendas omnes et singulas predictas donaciones libertates privilegia et immunitates dicto nostro burgo de Irwin ballivis et communitati ejusdem nunc presentibus et futuris per ipsos et successores suos exercendas gaudendas et possidendas adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut carte evidencie et scripta predecessorum nostrorum predictorum prefato nostro burgo ballivisque et communitati ejusdem date concesse et facte in se plenius proportant et testantur Ac secundum tenorem vim formam et effectum earundem Volumus eciam et concedimus pro nobis et successoribus nostris quod hec generalis nostra confirmacio erit dictis ballivis et communitati prefati nostri burgi eorumque successoribus talis et tanti valoris vigoris et efficacie sicut omnes predicte donaciones libertates et privilegia carteque et evidencie earundem in hac nostra carta confirmacionis specialiter fuissent contente ac de verbo in verbum inserte Quas eciam cartas et evidencias pro expressis habere volumus in hac nostra carta confirmacionis sine aliquo impedimento obstaculo vel contradictione quacunque Insuper volumus ac pro nobis et successoribus nostris concedimus et ordinamus quod quocienscumque et quandocumque aliquem vel aliquos burgensem vel inhabitantem burgenses vel inhabitantes dicti nostri burgi de Irwin ad quascunque curias in antea tenendas coram quocunque judice vel quibuscunque judicibus et pro quacunque causa attachiari contigerit seu arrestari Quod ipsi ad libertatem dicti nostri burgi de Irwin replegientur et reducantur et in eodem per assisam vicinorum suorum jura subeant imperpetuum sine aliquo obstaculo seu contradictione nostri aut successorum nostrorum judicum ve aut officiariorum nostrorum quorumcunque In cujus rei testimonium presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reverendissimo reverendisque in Christo patribus Alexandro Sancti Andree archiepiscopo etc. cancellario nostro Willelmo episcopo Abirdonensi nostri secreti sigilli custode Andrea episcopo Cathanensi thesaurario nostro dilectis consanguineis nostris Archibaldo comite de Ergile domino Campbell et Lorne magistro hospicii nostri Matheo comite de Levenax domino Dernlie Alexandro domino Hume magno camerario nostro Andrea domino Gray justiciario nostro Magistris Gawino Dumbar archidiacono Sancti Andree clerico Rotulorum registri ac consilii

nostri Patricio Paniter rectore de Tannades secretario nostro et Roberto Colvile de Uchiltre nostre cancellarie directore Apud Edinburgh octavo die mensis Augusti anno Domini millesimo quingentesimo undecimo et regni nostri vicesimo quarto.

TRANSLATION.

James by the grace of God King of Scots, to all good men of his whole land, kirkmen and laymen, greeting: Know ye that we for the special favour which we bear towards our well-beloved the bailies and community of our burgh of Irvine, and for their good and thankful service done to us, have approved ratified and for us and our successors for ever confirmed, all and sundry gifts freedoms privileges and immunities whatsoever, given and granted beforetime to our foresaid burgh of Irvine, and the bailies and community thereof, by our deceased most noble progenitors and predecessors, on whose souls may God have mercy, and all charters writs and evidents made to them thereupon: To be had and to be held all and sundry the foresaid gifts freedoms privileges and immunities to our said burgh of Irvine, the bailies and community of the same, now present and to come, to be exercised enjoyed and possessed by them and their successors, as freely quietly fully wholly honourably well and in peace, in all and by all, as the charters evidents and writs of our foresaid predecessors, given granted and made to our foresaid burgh, and the bailies and community thereof, in themselves more fully purport and bear witness, and according to the tenor force form and effect of the same: We also will and grant for us and our successors that this our general confirmation shall be of as much and as great strength force and effect to the said bailies and community of our foresaid burgh and their successors, as if all the foresaid gifts freedoms and privileges and charters and evidents of the same had been particularly contained and inserted word by word in this our charter of confirmation: Which charters and evidents also we will to be held as expressed in this our charter of confirmation, without any impediment obstacle or gainsaying whatsoever: Moreover we will and for us and our successors grant and ordain, that so often and whensoever it shall happen any one or more burgess or indweller burgesses or indwellers of our said burgh of Irvine, to be attached or arrested before whatever judge or whatever judges and for whatsoever cause, they be repledged and brought back to the freedom of our burgh of Irvine, and underlie the laws in the same by an assize of their neighbours, for ever,. without any obstacle or gainsaying of us or our successors, or of our judges or officers whomsoever: In witness whereof we have commanded our great seal to be affixed to our present charter: Witnesses, the most reverend and reverend fathers in Christ, Alexander Archbishop of Saint Andrews, etc. our chancellor, William Bishop of Aberdeen, keeper of our privy seal, Andrew bishop of Caithness, our treasurer; our wellbeloved cousins Archibald earl of Argyle lord Campbell and Lorne, master of our household, Matthew earl of Lennox lord Darnley, Alexander Lord Hume, our great chamberlain, Andrew lord Gray, our justiciar, Masters Gavin Dunbar, archdeacon of Saint Andrews, clerk of our Rolls register and council, Patrick Paniter, rector of Tannadice, our secretary, and Robert Colvile of Ochiltree, director of our chancery: At Edinburgh the eighth day of the month of August, the year of our Lord one thousand five hundred and eleven, and of our reign the twenty-fourth year.

16. *Letters of Charge by King James the Fifth, and Queen Margaret his Mother, to the Burgh of Irvine, to provide vessels and mariners for the expedition against the Lord of the Isles.—26th April* 1514.

James be the grace of God King of Scottis and Margrete be the samin grace Quene of Scotland oure derrest moder tutrice testamentar and governour to the aldermane and ballies of our burgh of Irwin greting Forsamekile as we have direct our uthiris lettres to oure cousingis and counsallouris the westland lordis to pas for the resisting of our untrew liegis of the Ilis that is to say Donald of the Ilis Lauchlane M'Clane of Dowart and divers uthiris thare complicis quhilkis has invadit and dailie invadis oure propir landis of the Ilis and uthiris lordis landis thairabout be cruell slauchter hereschip and birnyng of oure trew liegis and tendis siclik to invaid the Lawland geif it be in thare powere and thai be nocht hastelye resistit in hie contemptioune and lichtleing of our auctorite brekand the cuntre and gevand evill example till uthiris now in our tender age and als in dissobeying and lichtleing of oure lettres direct to thame of before tharthrou incurrand the pane of tressoune contenit in the samyne And atour in maire contemptioune hes takin oure officiare and messingere of armez Gilbert Reoch quhilk we laitlie send to thaim with oure lettres and chargis for the stancheing of sik cruell

and manifest attemptatis and as yit withhaldis him Oure will is herefore and we charge you stratlie and commandis that incontinent thir our lettres sene ye provid for all the weschallis and botis ye may furnes togidder with the marinaris ye may get to be reddy and pas to Loch Renesay in Arane and thare to meite the saidis lordis and our cousing and counsalour Colyne erle of Ergile the xv day of Maii nixt to cum but falt furnest with wittalis and expensis to remane for the space of xl dais and eftir as ye salbe chargit be the saidis lordis to pas with thame and mak thame service for the resisting of oure said untrew liegis And atour that ye furnes vittalis to the saidis lordis apoune thare expensis at your powere as ye will haif speceale thank of us and as ye lufe the commone wele of oure realme and will ansuere to us tharapoune at your utter perell.

Gevin under oure signet at Striveling the xxvj day of Aprile and of oure regnne the first yere.

Margaret R

Per S. D. N. Regem Reginam et consilium.

17. *Letters of Charge by King James the Fifth, to the Burgh of Irvine, to send all fencible men, well armed, to Roslin Muir, to resist the English.*—31*st May* 1514.

James be the grace of God king of Scottis to the ballies of oure burgh of Irwin greting Forsamekil as it is thocht expedient devisit and ordanit be the lordis of our counsale that all our liegis fensabil men assembil and mete on Rosling mure beside Edinburgh the fift day of Julii nixt to cum furnist and bodin for were as efter folowis for defens of our realme and liegis and resisting of our auld inymis of Ingland quhilkis as the saidis lordis ar sickerlie advertist tendis at thare power to invaid us our realme and liegis Oure wil is herfore and we charge you straitlie and commandis that incontinent thir our lettres sene ye in our naim and autorite command and charge be opin proclamatioun at the mercate croce of our said burgh al and sindry oure liegis betuix sexti and sextene and uthiris fensabil men within the fredome of our said burgh that thai and ilkan of thame be wele abulzeit and bodin for were on thar best wise in quhite harnes brigantinis gude jakkis haburonis splentis sellatis gorgettis gluvis of plate grete speris axis halbertis Jedworth stavis lang tua handit suerdis hand bowis crocebowis culveringis pavilyeonis splentis rubbouris creilis and al uther maner of abilzeamentis wappinnis and instrumentis for were addres thaim and convene and mete with the lafe of our lordis baronis and trew liegis upone the said mure the said fift day of Julii nixt to cum furnist with vittalis and expensis for the space of xx dais efter thar cuming pas quhare it salbe thocht expedient and devisit for the tyme for resisting of our saidis auld inymis and defens of our realme and liegis under the pane of tynsale of life landis and gudis and in the menetyme that ye caus tuo or thre wappinschewingis to be maid be al the inhabitaris of our said burgh and assigne dais tharto that thai may kepe and that ye se that thai be sufficientlie furnist and bodin as said is ilkman in his aune degre as efferis and that ye charge thame to kepe the said dais of wappinschewingis the first day under the pane of xx s̃ the secund day under the pane of xl s̃ and the thrid day under the pane of iii ƚi to be takin of eviry man but favouris that cummis nocht tharto bodin as said is and that ye be thar the said day bodin and furnist as said is bringing with you thir our lettres deulie execut and indorsat that it may be understand quhat diligence ye do herein as ye wil ansuere to us upone the executioun of youre office and under the panis forsaidis. Gevin under our signet at Striveling the last day of Maii and of oure regne the first yere.

Per duodecim dominos per generale consilium ad hoc electos, etc.

18. *Minute of the Lords of Council in reference to the Customs of Irvine.—11th April* 1524.[1]

xi Aprilis (M^c V^c xxiiij).

Sederunt episcopus Abirdonensis comes de Cassillis dominus Hay de Yestir decanus Abirdonensis Archidiaconus Cathanensis Rotulator Nicholaus Craufurd.

Anent our soverane lordis letres purchest at the instance of the grete custumaris of Irwyne aganis Andro Mure Johnne Mure Johnne Robisone Edward Robisone Patrik Patersoune Johnne Howstoune youngar James Airstoune Patrik Patersoun Mathow Multrar Johnne How Williame Mure

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[1] Acta Dominorum Concilii, Lib. xxxiv.

Robert Hunter and Thomas Smyth for the wranguis defrauding of our soverane lordis custumis of thair merchandice and gudis sauld be thame to Franchemen and had furth of the said burgh and fredome thairof be thame uncustumit ilkane for thair awin pairt as at maire [lenth] is contenit in the summondis and lettres thairupone the said grete custumaris comperand be schir Alexander Scott vicar of Kirkurd thair procuratour and the remanent of the saidis personis lauchfullie summond to this actioun oftymes callit and nocht comperit the Lordis of consale continewis the said mater in the samin forme force and effect as it is now but prejudice of party onto the xxiiij day of Maij nixt tocum with continuatioun of dais and ordanis the said custumaris to have letres to summond sic witnes and probacionis as thai will use for the preving of the punctis of the principall summondis apone the said day and the parti to be warnit of this continuacioun and to heir the witnes suorne.

19. *Letters of Lawborrows at the instance of the Burgh of Irvine, against Hew Earl of Eglinton.—9th August* 1529.

James be the grace of God King of Scottis to our Schiref of Are and his deputis and to our lovittis Ormond Bute Dingwall persewantis Duncane Richardsone David Lowry Archibald Hoge Johne Gourlaw messingeris our schireffis in that part conjunctlie and severalie specialie constitut greting Forsamekill as it is humelie menit and schewin to us be our lovittis the ballies counsale and communite of our burgh of Irwin that quhar our said burgh is infeft with all fredomez and privilegis siclike as ony uther burgh within our realme and has bene in use and possessioun thairof sen thair first fundatioun quhill now laitlie our cousing Hew erll of Eglintoun our ballie of Cunynghame molestis thame thairintill And becaus thai wald be our autorite uphald and keip the fredom of our said burgh unbrokin or hurt thai ar oft tymez mannissit and boistit be our said cousing his complicis and servandis for thair bodely harme and has divers tymes cumin upon thame for thare slauchter in thair aune houssis with drawin knyffis and siclike has invadit thame upon our hie streit and uther wais in grete skayth to thame and in hie contempcioun of our autorite and lawis Our will is herefor and we charge you straitlie and commandis that incontinent thir our letteris sene ye pas and tak sicker souirte and lauborrowis of the said Hew erll of Eglintoun and his complicis and servandis samony as the saidis ballies counsale and communite of our said burgh of Irwin will mak faith before you thai dreid bodely harme of and gevis their namez to you in bill that thai salbe harmeles and skaithles of thame and all that thai may let in tyme cuming but fraud or gile bot as law will That is to say of the said Hew erll of Eglintoun undir the pane of j^m ƚi and of ilkane of his sonnys undir the pane of v^c ƚi and of ilk uthir gentill man landit thair complicis j^c ƚi ilk gentill man unlandit j^c merkis and ilk yeman xl ƚi And that ye in our name and autorite command and charge our said cousing his sonnys servandis and complicis personaly gif thai can be apprehendit failzeing thairof be oppin proclamatioune at the mercate croce of the hede burgh of the schire quhare thai duell to cum and fynd the said souirte and lauborrowis to you within vj dais nixt eftir thai be chargeit be you thairto undir the pane of rebellioun and putting of thaim to our horne The quhilk vj dais being runin and the said souirte nocht fundin that ye denunce thame our rebellis and put thame to our horne and eschaete and inbring all thair movable gudis to our use for their contemptioun The quhilk to do we commit to you coniunctlie and severalie our full power be thir our letteris delivering thaim be you deuly execute and indorsate agane to the berare.

Gevin undir our signete at Edinburgh the ix day of August and of our regne the xvj yere.

Ex deliberacione dominorum consilii, etc. BANNATYNE.

20. *Composition for the Burgh of Irvine for absence from the Host, and intercommuning with Neil Montgomery of Langshaw.—12th February* 1529-30.

COMPONITUR pro remissione cum ballivis burgensibus et communitate burgi de . . ac cum omnibus et singulis inhabitantibus infra dictum burgum terras burgales ac libertatem ejusdem infra vicecomitatum de Air commorantibus pro eorum remanencia ab exercitu Regis de Sulway ac aliis supremi domini nostri Regis exercitibus quibuscumque suas contra proclamationes desuper confectas Ac pro eorum proditoria intercommunicatione receptione favore et assistentia datis et exhibitis Nigello Montgumre de Langschaw ejus fratribus et eorum complicibus tunc felonibus ac aliis supremi domini nostri Regis rebellibus quibuscumque Et pro omnibus actione et crimine que eis aut [eor]um alicui inde quovismodo imputari

poterint Necnon pro omnibus aliis actionibus transgressionibus criminibus et offensis quibuscumque per dictas personas aut earum aliquam aliquibus temporibus elapsis ante diem date presentium commissis seu quomodolibet perpetratis proditoria traditione in personam regiam furto receptione furti murthuro incendio mulierum raptu et homicidio tantum exceptis Subscriptum per dominos compositores apud Air xii die mensis Februarii anno Domini j^{m} v^{c} xxix^{o} Compositio xxxiij lib vj s̄ iij đ.

R. theꝯ.
H. Candide Case.
D. de Abirbrothok.
JHON LORD IRSKIN.

ABSTRACT.

Composition for the bailies, burgesses, and community of [Irvine], and all inhabitants within the burgh lands and liberty thereof in the sheriffdom of Ayr for remaining from the King's host at Solway, and other hosts of the King whatsoever, contrary to his proclamations: and for treasonable intercommuning, reception, favour, and assistance to Neil Montgumre of Langschaw, his brothers and their complices, then felons, and other rebels of the King whatsoever, etc. Subscribed by the lords compositors at Ayr, 12th February 1529. Composition £33 6s̄. 8đ.

Signed by R[obert] treasurer; H[enry] bishop of Galloway, D[avid] abbot of Abirbrothok, and John Lord Erskine.

21. *Signet Summons against Mr. William Montgomery of Stane and others for spoliation.—13th December* 1533.

JAMES be the grace of God King of Scottis to our lovittis
our schereffis in that part conjunctlie and severalie specialie constitut greting: Our will is and we charge you that ye lauchfully summond warne and charge Master Williame Montgomery of Stane Arthur Montgomery his sone and apperand air and Robert Arth to compere befoir us and our counsale at Edinburgh or quhar it shall happin us to be for the tyme the day of nixt tocum gif it be lauchfull and failzeing tharof the nixt lauchfull day thareftir following in the hour of caus with continuatioun of dayis to answer at the instance of our lovitt
Patersoun sone and air of umquhile Archibald Patersoun

burges of our burgh of Irwin and Schir Robert Patersone chaplane his tutour for his interes that is to say the saidis personis for the wranguisly violent and masterfull spoliatioun be thame self thair servandis and complices being with thame in cumpany in thair names of thair causing command assistence and ratihabitioun away taking and withhalding fra the said Patersone pupill recently upoun the ix day of December instant out of Johnne Rankynis hous within our said burgh of thir gudis undirwrittin pertening to the said Patersone as his aune propir gudis and than being in his possessioun in the said Johne Rankynis hous foirsaid that is to say ane tydy kow price xlv s̃ ane stirk price xx s̃ ane mete almery price ii merkis tua brasin pottis price of thame xx s̃ thre pewdir discheis price of thame xiij s̃ iiij đ ane veschel almery price vj s̃ viij đ ane mete burd price v s̃ ane irne spete price v s̃ ane pan price iiii s̃ v ladis of colis price of thame xxx đ xxx ladis of turffis and petis price of thame v s̃ as is allegit And tharfoir the saidis personis to here thame or ony of thame be decernit be decret of the lordis of our counsale to have done wrang in recent spoliatioun of the saidis gudis fra the said Patersoun out of the said hous in maner foirsaid and to restoir and deliver the samin agane to him and his possessioun and place that thai war takin fra als gud as thai war the tyme that thai war takin or the avale tharof prices foirsaidis according to justice and for the costis and skaithis sustenit be the said Patersoun and his said tutour tharthrow: And forthir to ansuer in the said mater insafer as law will Making intimatioun to the saidis personis that quhethir thai compere or nocht the saidis day and place with continuatioun of dayis we will proceid and minister iustice in the said mater insafer as we may of law according to our act of parliament made upoun recent spulze Attour that ye lauchfully summond warne and charge to compere befoir us and our counsale the saidis day and place with continuatioun of dayis to bere lele and suthfast witnessing insafer as thai knaw or salbe sperit at thame in the said mater undir all hieast pane and charge that eftir may follow The quhilk to do we committ to you conjunctlie and severalie our full powar be thir our letters dilivering thame be you deuly execut and indorsat agane to the berar Gevin under our signet at Edinburgh the xiij day of December and of our regnne the nynetene yeir.

Ex deliberatione dominorum consilii, etc. J. Chepman.

22. *Letters of Charge to the Burgh of Irvine to choose their Officers according to the Act of Parliament.*—*28th September* 1537.

James be the grace of God King of Scottis to our lovittis Johne Skrimgeour Johne Scheves Williame Campbell masaris Duncan Riche David Tempilman Johne Coupare Richard M'mannady messingeris oure schireffis in that part conjunctlie and severalie specialie constitute greting Forsomekle as it is humilie menit and schewin to us be oure lovittis bailzeis and comonite of oure burgh of Irwin that quhare thai have thair bail[zeis] and officiaris of oure said burgh to cheis now at the next court eftir Michaelmes nevirtheles thare is certai[n] persouns within the samyn quhilkis in the tyme of the chesin of the said bailzeis and officiaris convenis with . . . of simple persouns fremen within oure said burgh and gadderis ane multitude of thame togidder and [will] nocht thole the said officiaris to be chosin be the best and wourthiest of oure said burgh for the gud [and] wele of the samyn bot quham that thai ples to cheis in grete stopping and hindring of justice to be kepit with[in the] said burgh and in contrare the actis and statutis of parliament as is al[legit Oure] will is herefore and we ch[arge] you straitlie and commandis that incontinent thir our lettres sene ye [pas and in oure] name and autorite command [and] charge the saidis bailzeis counsale and commonite of oure said burgh th[at thai] cheis thair officiaris in the samyn, conforme to our said act of parliament and na uthirwayis as y[e will] ansuer to us thairapoun and [on] all the hiaste pane and charge thai may commit and inrin agane . . . that part The quhi[lk to do] we commit to you conjunctlie and severalie our full powere be thir oure [lettres] Delivering thir oure lettres be yo[u deulie] execute and indorsat agane to the berare. Gevin under oure signete at Edinburgh the xxviij day [off] September and of oure regne the xxiii yere.

Ex deliberatione dominorum consi[lii etc.]

J. Douglas.

23. *Letters of Charge forbidding the holding of Open Markets within Cuninghame, except at Irvine.—3d November* 1538.

JAMES be the grace of God King of Scottis to oure schireff of Aire and ballie of Cunynghame and thair deputis and to oure lovittis messingeris oure schireffis in that conjunctlie and severalie specialie constitute greting For[sa]mekle as it is humelie menyt and schewin to us be oure lovittis the ballies and comonite of oure burgh [of] Irwin that quhare thai ar of auld infeft in fre burrowage and hes broukit the samyn with[out inter]ruptioun within the boundis of Cunynghame quhill now laitlie in this trublus tyme sen the feild of Flowdoun marchandis chepman and uthiris oure liegis makis plane mercattis upoun all sondayis at the paroch kirkis of Kilmarnok Beith Dalry Largis and uthiris kirkis within Cunynghame and sellis hyde woll skynnis claith meill malt fische flesche and chepmen haldis plane buthis and sellis all maner of small marchandice and cramry wair and will nocht produce the samyn to the market to be sauld thair and coft upoun the marcat day quharthrow oure burgh is utirlie distroyit for want of repaire and use of change and we gretumelie defraudit in oure custumes and without reformatioun oure burgh salbe put to utir reuyne and distructioun aganis the commoun and to thair hevy dampnage and skaith gif sa be Oure will is heirfore and we charge you straitlie and commandis that incontinent thir oure lettres sene ye pas and in our name and autorite command and charge all and sindry marchandis and uthiris oure legis be opin proclamatioun at the mercat croces of Irwyn and uthiris places neidfull that nane of thame tak upoun hand to use merchandice at ony kirkis within Cunynghame uthiris nor meit and drink except pure chepmen that beris thair pakkis upoun thair bakkis bot that thai bring all sic merchandice to our said burgh and uthiris fre burrowis to be coft and sauld in the samin commonely amangis oure liegis quhar we may have our custumes as accordis under the pane of escheting of all thair gudis being sauld outwith the fredome of the said burrowis That is to say the twa part thairof to be inbrocht to us and oure thesaurar in our name and the thrid part of the samin to the eschetar for his laubouris sua that our burrowis be nocht utirly . . . The quhilk to do we commit to you conjunctlie and severalie our full power be thir our lettres delivering [thame] be you deulie execute and indorsat agane to the berar. Gevin under our signet at Edinbu[rgh the] thrid day of November and of our regnne the xxiiij yere.

Ex deliberatione dominorum cons[ilii, etc.]

L. GUDE.

24. *Summons at the instance of the Burgh of Irvine against the Sheriff of Ayr, for infringing their privileges.—11th January* 1538-9.

JAMES be the grace of God King of Scottis to oure lovittis Thomas Nevin messinger Adam Mungumry James Broun oure schirreffis in that parte conjunctlie and severalie specialie constitut greting Forsamekill as it is humelie menit and schawin to us be oure lovittis the baillies counsale and communite of our burgh Irwin That quhare our said burgh is infeft of auld be oure maist noble progenitouris of gude mynd quham God assolze with siclik previlege and fredome of burgh within thare selfis as utheris oure burrowis within oure realme hes and was nevir in use of passing upoun inqueistis assisis or utheris actionis before our schirreff of Aire or baillie of Cunynghame or thare deputis outwith the fredome and jurisdictioun of oure said burgh quhill xxix yeris syne or thareby oure saidis schirreff and baillie trublit thame tharein and wald have compellit thame to have ansuerit before the saidis beillie and schirreff the saidis ballie counsale and communite havand provest and ballies of thare aune jugeis ordinare to thame Quhareupoun thai menit thame to the lordis of our counsale and for gude caussis moving thame obtenitt our uthir letteris dischargeing our saidis schirreff and baillie and thare deputis of all calling arresting unlawing or poinding of ony of the saidis baillies consale and communite of our said burgh within thare fredome and jurisdictioun for ony actioun or caus sen thai war exceptit fra our said schirreff baillie and thare deputis in fre burgage and of thaire officis in that parte as our saidis uthir letteris beris Nevirtheles oure said schirreff of Air and his deputis has laitlie gart call Johnne Kile elder and Thomas Kile thare nychtbouris and burgessis of oure said burgh before thame for allegit deforceing of our said schirreffis officiar in poinding within oure said burgh thai havand na power thareto and being dischargit of thare officis in that parte as said is and sa intendis to proceid aganis the said communiteis nychtbouris and hurte thare previlege and fredome gretlie tharethrow that thai have peciabillie broukit and joisit past memor of man as is allegit Oure will is herefore and we charge you that ye lauchfullie summond warne and charge oure said schirreff of Aire and his deputis to compere befoire us and our counsale at Edinburgh or quhare it sall happin us to be for the tyme the xxiiii day of Januar instant in the houre of caus with continewatioun of dais to here oure uthir letteris gevin chargeing oure said schirreff and his deputis gyfe the saidis Johnne and Thomas Kile be burgessis and induellaris of oure said burgh and that the said deforciament is allegit to be committit within the samyn quhare our said schirreff his deputis nor officiariis had na power to poind that thai desyst and ces fra all calling and proceding before thame aganis the saidis Johnne and Thomas nychtbowris of our said burgh dischargeing thaim tharof and of thair officis in that parte for the caussis forsaidis Or ellis to schaw ane resonable caus quhy the samyn aucht nocht to be gevin with certificatioun to thame and thai failze tharein oure uthir lettres salbe direct to the effect abone specifiit Attour that ye in our name and auctorite command and charge oure said schirreff and his deputis to continew thare courte in the said mater quhill the sext day of Februar nixt efter the said xxiiij day of Januar instant Sua that this summondis may be callit in the meyntyme as thai will ansuer to us thareupoun, and under all hiest pain and charge that efter may follow, as ye will ansuer to us thareupoun: The quhilk to do we committ to you conjunctlie and severalie our full power be thir our lettres delivering thaim be you deulie execut and indorsat agane to the berar. Gevin under our signet at Edinburgh the xj day of Januar and of our regnne the xxvj yere.

Ex deliberatione dominorum consilii, etc.

J. MABEN.

Fiat ut petitur: and anentis the mater depending before the Schiref to send the proces heire of deforce and to send heire the x day of Februar that justice may be ministrat.

The xiiij day of Januere the yere of God j^{m} v^{c} xxxviij yeris I Thomas Nevin ane of the Schirreffis in that part within constitut past at command of thir our soverane lordis letterez and summond warnit and chargit Hew Campbell of Lowdoun Schirreff of Aire personaly apprehendit in jugement in the tolbuyth of Aire to compere before the lordis of Counsell day and place within writtin with continuatioun of dais to heire letterez gevin to the effect within writtin Or ellis to schaw ane resonable caus quhy the samin suld nocht be gevin with certificatioun as is within specifyit Attour I chargit the said schirreff and his deputis to continew thare court quhill the vj day of Februare nixt to cum under the panis contenit in thir our soverane lordis letterez And this I did before thir witnes Adam Montgumry Archibald Muire William Yong Schir James Craufurd and Schir William Mure chaplanis and public notaris with utheris divers And for the mair witnessing I have affixt my signet.

25. *Letters of Protection by King James the Fifth to the Burgh of Irvine.—7th August* 1540.

James be the grace of God King of Scottis to all and sindry oure liegis and subdittis quham it efferis quhais knawlege thir our lettres sal cum greting Wit ye us to have takin and be thir oure lettres takis our lovittis the provest baillies counsale and communite of our burgh of Irwin and all and sindry thair landis rentis heretageis takis stedingis possessionis malingis rowmes custumes burrow malis mylnis multuris houssis bigyngis myris mossis maner places stoir places grangeis pasturis lesuris woddis lowis fischeingis cornis cattell orchartis yardis stankis dykis men tenentis servandis familiaris factouris procuratouris and intromettouris and all and sindry uthiris thair gudis movable and unmovable quhatsumever had or to be had quhare ever thai be within oure realme or outwith under oure speciale protectioun supple mantenance defence and saufgard Quharfor we charge straitlie and commandis you all and sindry our liegis and subditis forsaidis that nane of you tak upone hand to do the saidis provest baillies counsale and communite or to all and sindry thaire landis rentis heretageis takkis stedingis possessionis malingis rowmes custumes burrow males mylnis multuris houssis bigyngis myris mossis maner places store places grangeis pasturis lesuris woddis lowis fischeingis cornis cattell orchartis yardis stankis dykis men tenentis servandis familiaris fermouraris factouris procuratouris and intromettouris and all and sindry utheris thair guddis movabill and unmovabill quhatsumever forsaidis ony evill molestatioun violence distrublance usurie harme or greif in ony maner of degre uthirwayis than the course of commone law will, under all the hiest pane charge and offence that ye and ilkane of you may committ and inrin aganis oure majestie in that parte and in speciale under the pane of forfalting and escheting of all youre gudis to oure use for your contemptioun gif ye do incontrare heirof Certefying you and ilkane of you quha sa dois incontrar heirof in ony poynt or wais we will mak you be punist thairfor but favour with all rigour as efferis as aganis thame that committis crymes aganis oure majestie and oure familiar servandis Thir oure lettres of speciale protectioun and saufgard for all the dais of the saidis provest baillies counsale and communiteis lyftymes but ony revocatioun to indure Gevin under our prive seile at Falkland the sevint day of August the yeire of God j^{m} v^{c} fourty yeires and of our regnne the xxvij yeir.

Per signaturam manu supremi domini nostri regis subscriptam, etc.

[Seal slightly broken.]

[*On the back.*]

One Settirdaye the fourtene daye of August in the yeir of God ane thousand fif hundreth and fourtye yeris I George Adam ane of the officiaris and borrowe serjandis of the burgh of Irwin at the command of honorable men Jhone Mur prowest Robert Scot and Steyn Tran ballies the counseill and communite of the burgh forsaid past to the mercat croce of the sammyne at ten howris afoir none the tyme of the hicht of the mercat apon the fayr eyne of the assumptione of our ladye And thair opinlie proclamit thir our soverane lordis letteris of protectione mantenance and saufgard and maid strait inhibitioun be oppin proclamatioun till all and sindre our soverane lordis liegis and utheris quham it efferis that thai nor nane of thame presume infer hurt harm molest or injure the provest ballies counsell and communite of the burgh of Irwin all and sindre thar landis rentis possessiounis heretaige takkis steddingis malis rowmes custumes borrowe malys mylnis multuris houses biggingis myris mossis maner plaices stoir places grangeis pasturis lesuris woddis lowis fishingis cornis cattell orchartis yardis stankis dykis men tenentis servandis familiaris factouris procuratouris intromettouris and generalie all and sindre utheris thingis within contenit ony maner of waye in tyme cuming under the painis within contenit efter the form and tenour and effecte of thir our soverane lordis letteris in all punctis and this I did befor thir witnes honorable men James Montgumrye brothir germane till Hewe erle of Eglintoun Maister Thomas Scot James

Brown John Brown burges of Irwin Jhon Gottraye James Mur and Rychard Bauld burgessis of Eddinburgh with utheris divers and for witnessing herof I affixit my signet to thir presentis

L. S.

[*On tag.*] Protectio pro communitate Burgi de Irwin, etc.

26. *Letters of Charge by Mary Queen of Scots to the Burgh of Irvine, requiring the Fencible Men to muster for service against troublers of the peace of the Realm.—8th August* 1543.

Marie be the grace of God Quene of Scottis to our provest and baillies of our burgh of Irvin and to our lovittis Alexander Heittone messingeris oure schireffis in that part conjunctlie and severalie specialie constitut greting Forsamekle as our governour hes evir socht to bring our reallme to quietnes sen his cuming to the rewme of governing thairof and to that effect hes contractit peax with the King of Ingland contening the honorabill comprehentioun of the King of France all uthiris princes that ar freindis to us and thaireftir to stanche and sett doun the emotioun and insurrection apperand within our said realme hes condiscendit to all resonabill menis and wayis that mycht keipe the samin fra cummin within the self Nochttheles seand that divers greit men thairof can nocht be contentit of na rasonabill concord bot menis be convocatioun of oure liegis usurpe aganis oure and oure governouris auctorite in contraire thair aithis and handwrittis and selis and expres aganis the commoun weill of oure realme Oure will is heirfore and we charge you straitlie and commandis that incontinent thir our lettres sene ye pas to the mercat croce of our burgh of Irwin and thair be opin proclamatioun in our name and auctorite command and charge all and sindry our liegis fensabill men to be in our burgh of Edinburgh at our said governour the xx day of August instant with xv dayis wittalis for doun setting of all truble within our realme and furthbering of our and our said governouris auctorite and for resisting of all personis that wald usurpe aganis the samin under the pane of tinsell of lyf landis and gudis and that ane of you our saidis officiaris

remane within our said schirefdom to denunce thame our rebellis and escheit thair gudis that cumis nocht to our said governour upoune this our charg With certificatioune to thame at and tha failze the eschetis of thame that bidis at hame salbe disponit to thame that service our said governour at this tyme as ye will ansuere to us thairopoun The quhilk to do we committ to you conjunctlie and severalie our full power be thir our letteres delivering thame to you dewlie execute and indorsat agane to the beirrer. Gevin under our signet at Edinburgh the viii day of August and of our regnne the first yeir.

Per dominos consilii, etc.

L. S.

27. *Commission of Justiciary in favour of the Provost and Bailies of Irvine, for suppression of the Pest.*—*15th August* 1546.

Maria Dei gratia Regina Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quod cum avisamento et consensu charissimi consanguinei et tutoris Jacobi Aranie comitis domini Hammyltoun regni nostri protectoris et gubernatoris intelligentes quod burgus noster de Irwin cum contagiosa pestis infirmitate infectus est Et pro ejusdem repressione prepositus et ballivi dicti nostri burgi suam fecerunt exactam diligentiam et diversa ad hunc effectum acta fecerunt et statuta nichilominus nostri diversi ligei et dicti nostri burgi inhabitantes in hujusmodi oppositum seu contrarium puniunt unde infirmitas ipsa totam patriam apparenter inficiet nisi aspera ad hoc celerius provideatur punitio Quocirca cum avisamento et consensu prescriptis fecimus constituimus et ordinavimus ac facimus constituimus et ordinamus per presentes dilectos nostros prepositum et ballivos dicti nostri burgi de Irwin presentes et futuros conjunctim et divisim nostros justiciarios in hac parte et ad infrascripta dumtaxat Dantes concedentes et committentes illis nostram plenam potestatem et mandatum speciale nostre justiciarie curias unam vel plures infra bondas et libertatem dicti nostri burgi affigendi statuendi inchoandi affirmandi et tenendi ac quociens opus fuerit easdem continuandi actorum statutorum et ordinanciarum per dictos prepositum et ballivos ab initio dicte egritudinis et infirmitatis in dicto burgo et simili modo affuturo tempore usque cessationem ejusdem pro ipsius repressione confectorum infractores seu violatores secundum quantitatem eorum demeritorum seu criminum capiendi apprehendendi puniendi Et si necessum fuerit ad mortem justificandi Exitus et bona eschaeta omnium personarum justificatarum sive punitarum pro dictis criminibus intromittendi levandi et hujusmodi ad pauperum infirmorum dicti nostri burgi sustentationem disponendi ad hunc etiam effectum clericum serjandum judicatorem et alios officiarios ac curie membra necessaria faciendi creandi deputandi ac quocies opus fuerit jurari causandi et generaliter omnia alia et singula faciendi et exercendi que noster justiciarius generalis facere potuit si personaliter presens fuisset Quare universis et singulis quorum interest vel interesse poterit precipimus et mandamus quatenus prefatis nostris justiciariis in hac parte suis officiariis et ministris in omnibus et singulis premissa tangentibus prompte respondeant pareant et intendant Sub omni pena que competere poterit in hac parte Presentibus semper et usque repressionem et plenariam cessationem dicte pestis in prelibato oppido absque revocatione in suo robore duraturis Datum sub testimonio nostri magni sigilli apud Edinburgh decimo quinto die mensis Augusti anno Domini millesimo quingentesimo quadragesimo sexto et regni nostri quarto.

Abstract.

Commission of Justiciary by Mary Queen of Scots with consent of her dearest cousin and tutor James Earl of Arran, Lord Hamilton, protector and governor of her kingdom, whereby, understanding that her burgh of Irvine was infected with a contagious plague, and that the provost and bailies, for the repression thereof had done their exact diligence and made sundry acts and statutes to that effect, nevertheless, that divers lieges and inhabitants of the burgh put themselves in opposition thereto, whence the said pestilence would apparently infect the whole country unless a sharp punishment were provided, Therefore the Queen appoints her well beloved the provost and bailies of her burgh of Irvine, jointly and severally, her justiciars in that part; giving them full power to hold courts of justiciary within the bounds and liberty of the said burgh, to take and punish the violators of the acts and ordinances made by the provost and bailies since

the beginning of the sickness and disease, and in like manner in time to come till the cessation of the same, for the repression thereof, and if need required to justify them to the death, to dispose of the fines and escheated goods of such persons for the support of poor sick persons of the said burgh, appoint clerks, serjeant, etc. The commission to endure till the cessation of the plague in the said town. Given under the Quarter seal at Edinburgh, 15th August 1546.

28. *Letters of Charge against the Community of Irvine for payment of Composition for absence from the Army to convene on Roslyn Muir.—9th October* 1549.

Marie be the grace of God Quene of Scottis to our lovittis messingeris our schireffis in that part conjunctlie and severalie specialie constitut greting Forsamekill as we with avise and consent of oure derrest cousingne and tutour James Erle of Arane lord Hammiltoun protectour and governour of our realme for the compositioune of the soume of saxscoir pundis money of our realme hes grantit and gevin licence to our lovittis the provest balzeis and haill communitie of oure burghe of Irwene to remane and byid at hame fra our oist and army devisit to convene on Roslene Mure the xx day of October instant for resisting of our auld Inemiis of Ingland and recovering of the fortis of our realme being presentlie in thair handis And howbeit the provest and bailzies of our said burghe hes ellis maid pament to oure thesaurer in our name of ane parte of the said compositione and ar oblist to him for the rest nevertheles the inhabitantes and communitie thairof deferris to releif and mak thame pament of the said compositione ilkane for thair awne part conforme to the taxatione maid thairupon without thai be compellit Owre will is heirfoir and we charge you straitlie and commandis that incontinent thir our letteris sene ye pas and in our name and authorite command and charge all and sindrie the burgessis inhabitantes wedois als weill wemen as men and communitie of oure said burghe to releif and mak thankfull pament to the saidis provest and balzeis of the foirsaid compositione ilkane for thair awne part conforme to the said taxatione within thre days nixt efter thai be chargeit be you thairto wnder the paine of rebellioune and putting of thame to our horne And gif thai or ony of thame failzeis thairintill that ye denunce sa mony of thame as disobeyis our rebellis and put thame to

our horne and escheat and inbring all thair movabill gudes to oure use for thair contemption as ye will answer to us thairupon The quhilk to do we committ to you conjunctlie and severalie our full power be thir oure letteris delivering thame be you dewlie execut and indorsate agane to the berar Gevin under our signet and subscrivit be our said governour at Hammilton the nynt day of October and of oure regnne the sevint yeir.

James G

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29. *Letters of Horning at the instance of the Magistrates and Community of Irvine, against Hew Earl of Eglinton and others.* — 21*st September* 1557.

Marie be the grace of God Quene of Scottis to our lovittis messingeris our schireffis in that parte conjunctlie and severalie specialie constitute greting Forsamekill as it is humilie menit and schawin to us be our lovittis the provest baillies counsale and commonitie of our burgh of Irwin that quhair our said burgh is infeft with all fredomes and previliges siclike as ony uthir burgh and hes bene in use and possessioun thairof sen the first fundatioun quhill now laitlie that our rycht traist cousing Hew erle of Eglintoun baillie of Cunynghame be the avis and assistence of Johnne Mure of Caldwell Thomas Caldwell of that ilk Robert Montgomry in Auchinchangane James Montgomry sone to Mathow Montgomry of Bar and uthiris his evill avisit freindis upoun the day of last bypast come to our said burgh with ane grite cumpany of folkis and thair nocht allenerlie stoppit and maid impediment to the saidis complenaris in halding of thair fair and uptaking of thair custumes and dewiteis thairof bot alsuae crewellie invadit thame for thair slauchter and hurt and woundit divers of thame and dalie and continewalie sensyne thai ar boistit and manissit be our said cousing personis foirsaidis and uthiris thair complices becaus thai wald be our authoritie uphald and kepe the fredome of oure said burgh and ar invadit and socht for thair slauchter suae that thai may nocht do nor exerce thair lefull besiness for feir of thair lyvis in hie contemptioun of us our authoritie and lawis gif suae be Our

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Will is heirfoir and we charge you straitlie and commandis that incontinent thir our lettres sene ye pas in our name and authoritie tak sicker souirtie and lauborrois of the foirsaidis personis and thair complices sa mony as the saidis complenaris will mak faith thai drede bodelie harme of and gevis thair names to you in bill that thai thair kin freindis wyiffis bairnis and servandis salbe harmeles and skaithles of the foirsaidis personis and all that thai may latt in tyme cuming but fraude or gyle bot as law will That is to say our said cousing Hew erle of Eglintoun under the pane of ane thousand pundis the said Johnne Mure of Caldwell under the pane of ane thousand markis Thomas Caldwell and the uthiris twae speciale personis above writtin ilkane of thame under the pane of five hundreth markis and thair complices ilk gentilman landit ane hundreth pundis ilk gentilman unlandit ane hundreth markis and ilk yeman fourty pundis And that ye charge thame personalie heirto gif thai can be apprehendit and failzeing thairof be oppin proclamatioun at the mercate croce of the heid burgh of our schire quhair thai duell to cum and find the saidis souirtie and laubourrois within sax dayis nixt efter thai be chargit be you thairto under the pain of rebellioun and putting of thame to our horne The quhilkis sax dayis being bypast and the saidis souirtie and lauborrois nocht being fundin to you in maner foirsaid that ye incontinent thairefter denunce the disobeyaris our rebellis and put thame to our horne and eschete and inbring all thair movabill gudis to our use for thair contemptioun according to justice as ye will ansuer to us thairupoun The quhilk to do we committ to you conjunctlie and severalie our full power be thir our lettres delivering thame be you dewlie execute and indorsate agane to the berair Gevin under our signet at Edinburgh the xxj day of September and of oure regnne the fiftente yeir.

Ex deliberatione dominorum consilii, etc. S. J. NICOLSON.

30. *Letters of Charge by Mathew Earl of Lennox to the Burgh of Irvine, to stent the Inhabitants for furnishing a seemly number of "hagbutters" for the Army.*—*29th September* 1565.

MATHOW Erle of Levenax lorde Dernelie Luftennende generall in the west pairtis of Scotlande to our Soverane lorde and lady the kinge and queneis Majesteis to our lovittis the provest and bailleis of Irvyn and to our

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lovittis messingeris our schireffis in that pairt conjunctlie and severalie speciallie constitut greting Forsamekle as we understanding that ane semelye number of hagbittaris is mair convenient to be rasit be the saidis burght of Irvin upone thair charge and expenssis and mair honorable to serve our saidis soveraneis and us thair luiftennend in that pairt in this thair majesteis armye laitlie devisit to assemble at Striviling nor is the confuse multitude of the haile communalitie Quhairfore we ar fyneit and aggreit witht the provest and bailleis of the saidis burght of Irvin for the numbir of twenty men bodyne as said is Quhilkis the saidis provest and bailleis of the saidis burght one nayne wayis may perfurneis without the inhabitantis of the saidis burght pay taxt and stent conforme to the saidis provest and bailleis ordinance to the effect foirsaidis Oure will is heirfore and we charge you straitlie and cummandis that incontinent this oure precept seyne ye pas in our soverane lord and ladyis nayme and myne thair Luftennend generall cummand and charge all and sindrie the inhabitantis of the saidis burght that thai and ilk ane of thame reddely ansuer and obey and als thankfullie content and pay thair taxt and stent that thai happin to be taxt to conforme to the taxt roll to be set furth thairupone under the pane of tynsall of lyf land and gudis And this on nayne wayis ye luif undone as ye will ansuer to us thairupone The quhilk to do we committ to you conjunctlie and severalie our full power be thir our letteres delyvering the samyn be you dewlie execut and indorsat agane to the beirar Gevin under our signet and subscriptioun manuall at Glesgu the penult day of Septembar the yeir of God j^{m} v^{c} and lxv yeiris etc.

31. *Commission of Justiciary by King James the Sixth to the Provost and Bailies of Irvine.*—1569.

James be the grace of God King of Scottis to all and sindry our liegis and subdittis quhome it efferis quhais knawlege thir our letteris sall tocum greting Wit ye us to have made constitute and ordanit and be thir our letteris with avise and consent of our derrest cousing James erll of Murray

lord Abirnethie regent to us our realme and liegis makis constitutis and ordanis our weilbelovittis the provest and baillies of our burgh of Irwing our justices in that part to the effect underwrittin Gevand grantand and committand to thame our full fre and plane power generall and speciall command expres bidding and charge court or courtis of justiciarie within our burgh of Irwing als oft as neid beis to set begin affirme hald and continew and in the samyn court or courtis all and sindry personis committaris of slauchter murthour and suspectit and delaitit of pykerie commoun thift and resset of thift within our said burgh to put to the knawlege of ane assyis thairfoir and as thai be fundin culpabill or innocent to minister justice upoun thame conforme to the lawis of our realme And to that effect assyissis or inq . . . . best and worthiest personis dwelland within our said burgh and four half about to . . . . cheis and caus be sworne ilk persoun under the pane of ten pundis Sectis to mak . . . . to amerciat trespassouris to puneis unlawis amerchiamentis and eschaetis of the saidis c . . . rais and for the same gif neid be to poind and distrenze the ane half thairof . . . . thesaurare and compt and rekining in our chekker to mak and the uther half of . . . . justices awin use and commoditie to apply Deputtis ane or ma in the said of . . . . mak with clerkis serjandis dempstar and all uther officiaris and memberis of con . . . . eat substitute and caus be sworne For the quhilk thai salbe haldin to ansuer and g . . . . all and sindry uther thingis to do exerce and use that to the premissis of law practik or consuetud of this realme is necessarlie knawin to pertene fferme and stabill haldand and for to hald all and quhat[sume]vir thingis our saidis justices and ilk ane of thame conjunctlie and severalie in the premissis . . . to be done. And als gevis grantis and committis full power and commissioun t . . . . baillies of our burgh of Air to tak the ayth of our saidis justices for dew and la . . . . our commissioun as efferis quhilk during the will of us and our said dearest . . . . allanerlie indure Gevin under oure signet and subscrivit be our . . . .ng and regent at the day of and of our regnne the thrid . . .

[Not subscribed: document much torn.]

32. *Letters of Charge to the Magistrates of Irvine for payment of the General Taxation.*—14*th October* 1570.

James be the grace of God King of Scottis to the provest and baillies of our burgh of Irwin and our lovittis Johne Hairt messingeris our schirreffis in that pairt conjunctlie and severale specialie constitute greting Forsamekle as for furthsetting of certane effairis tending to the avancement of oure realme and quietnes of the commoun wele of oure realme thair is ane taxatioun of xij^{m} ƚi devisit to be upliftit and payit be the estaitis thairof within certane space appointit thairto in maner following That is to say vj^{m} ƚi thairof be the sperituale estait providing that the thrid thairof be taikin up of the thridis of the beneifices sua that thai salbe onlie astrictit in payment of the tua pairt thairof four thousand pundis to the barronis and frehalderis and the sowme of tua thousand poundis in compleit payment of the said hale taxatioun of xij^{m} ƚib be oure burrowis And foir inbringeing of oure burrowis pairte thairof thir oure lettres ar ordanit to be direct in maner following as ane act maid thairupoun beiris Oure Will is heirfoir and we charge you straitlie and commandis that incontinent thir our lettres sene ye pas in oure name and auctorite command and charge the provest and ballies of our burgh of Irwin to make payment of the taxt and extent thairof to John Cunyngham of Drumquassill appoyntit collectour generall thairto within sex dayis nixt eftir thai be chargit be you thairto conforme to the taxt roll gevin to thame thairupoun undir the pane of rebellioun and putting of the saidis provest and bailzeis to our horne And gif thai failze thairin the said day being bygane that ye incontinent thairefter denunce the dissobeyarris our rebellis and put thame to our horne and escheit and inbring all thair movable guidis to our use for thair contemptioun And for releif that ye in our name and auctorite command and chairge the inhabitaris off oure said burgh of Irwin to convene and elect certane persones to stent thair nychtbouris and that ye chairge the persones electit to accept the chairge upoun thaim in setting off the said stent upoun the nychtbouris off our said burgh And als to convene and set the samin and mak ane stent roll thairupoun as effeiris within xxiiij houris nixt eftir thai be chargeit be you thairto undir the paine of rebellioun and putting of tham to our horne and gif thai failze the saidis xxiiij houris being bypast that incontinent thaireftir denunce thame our rebellis and put thame to our horne and escheit and inbring all thair movable guidis to our use for thair contemptioun and siclyk the said stent being maid and set that ye in oure name and auctorite command and chairge the burgesses nychtbouris and inhabitantis of our said burgh to mak payment to the saidis provest and bailzeis of the said extent conforme to the taxt roll within thre dayes nixt eftir thai be chairgit be you thairto undir the paine of rebellioun and putting of thame to our horn And gif thai failze thairin the saidis thre dayes being bypast that ye incontinent thaireftir denunce the dissobeyaris our rebellis and put thame to our horne and escheit and inbring all thair movabill guidis to our use for thair contemptioun and gif neid be that ye pund and distrenze thairfoir as ye will ansuer to us thairupoun The quhilk to do we commit to you conjunctle and severalie our full power be thir our lettres delivering thame be you dewle execuit and indorsat againe to the beirar Gevin undir our signet at Edinburgh the xiiij day of October and of our regnne the ferd yeir 1570.

Per actum secreti consilii, etc.

L. S.

The soume of the taxatioune to be payit be the provest and baillies of Irwing extendis to xxvij li as is contenit in the taxt roll gevin furth thairupoun Johne Hairt messinger w^{t} my hand.

[*On the back.*]

IHESUS

At Irwin the xvii day of November anno 1570 I Jhone Hert messinger within writtin hes rasavit fra the handis of the provest and balzeis of Irwin and commonitie thairof the sowm off twentie sevin pundis money of this realme as haill and compleit payment off the said commoniteis part off the taxatioun and obedience off ther our soveren lordis lettres within writtin and in all poyntes grantes the part off the saidis provest balzeis and commonitie fulfillit and obeyit quharfor I exoner thaim of the sam and oblegis me to sen to the said commonitie the acquittance of Jhon Conyngham of Drumfassill collectour of the said taxatioun be ther presentes subscribit with my hand befoir ther witnes Thomas Broun Stene Tran Hew

Campbell James Mur James Broun and Gilbert Dunlope burgessis of Irvin And ffoulowes the effect of my commission The taxt roll of the burrowis committit to be imbrocht be Jhon Hert messinger Striviling L ƚib x s̃ Linlythqow xxx ƚib vj s̃ viij d Rothissay xiij ƚib x s̃ Dumbartan xvij ƚib xv s̃ Renfrow xx ƚib v s̃ Rutherglen xiij ƚib x s̃ Aire xlvij ƚib v s̃ Irwin xxvij ƚib Glesgow xl ƚib x s̃ Lanerk xvj ƚib xv s̃

Summa of the taxatioun abone writtin ij^{c} iij^{xx} xviij ƚib vj s̃ viij d.

JHON CONYNGHEM off Drumquhessill.
JOHNE HAIRT messinger w^{t} my hand.

33. *Instrument on the Proclamation of the King's Protection and other Grants in favour of the Burgh of Irvine.—12th April* 1572.

AT Irwin the twelft day of Aprile the yeir of God j^{m} v^{c} threscoire twelf yeiris In presens of us notaris publicque and witness underwrytin Allane Ross ane of the serjandis and officiaris of the burgh of Irwin past at command of Hew Campell provest Hew Scott and Robert Kyle baillies be advyce o[f the couns]all and communetie of the said burgh and be publict proclamation proclemit our soverand lordis lettres [of pr]otection manteinence defence and saifgaird under his grace prive seill inclusid in reid wax bering the dait at Sterling the last day of Februar and of his grace rigne the fyft yeir makand mentioun that our said souveraine lord had and hes resavit the provest baillies consall and communite of the said burgh thair landis heritage roumes rentis liberties privilegies servandis procuratouris familiaris guidis movable and immovable in his grace manteinance saifgaird and protectioun Certefying the contravenaris that cummis in the contrair to incure our said soverainis displesour and under the panis of foirfalting as the said lettres beris in the self at mair lenth Alsua at command foirsaid proclamit and causit reid our soveraine lordis guidscharis confermatioun under the querter seill bering the dait at Edinburgh the saxt day of Julii the yeir of God j^{m} v^{c} xl yeiris descharging the schiref of Air baillie of Cunyghame thair deputtis and successouris fra all troubling arristing fensing or persewing of the burgessis and inhabitantes of the said burgh befoir tham for ony causs and fra passing upon inquestis or assaysis and als at command foirsaid presentit and proclamit at the said mercat cross our sovering lordis g[rand]schir chertour King James the Feird of guid memorie off the datt at Edinburgh the aucht day of August the yeir of God j^{m} v^{c} and elevin yeiris that all the burgessis and inhabitantis of the said burgh and libertie thairof sal be replaigit to the libertie of the said burgh and underlye justice be the assyse of the nychtbouris of thair awin burgh descharging all justices and juges within the realme to cum in the contrair as the said chartour in the self beris And also causid reid and proclame tua actis of adjournall under the subscriptioun of Johnn Bellenden justice clerk the ane bering the datt at Air the yeir of God j^{m} v^{c} twentie nyn yeiris and the uther the datt at Air the yeir of God j^{m} v^{c} fyftie ane yeris the seventein day of Februar quhair the prowest baillies and communitie of the said burgh and libertie thairof ar replaigit fra the kingis grace progenitouris and predicessouris in justice airis to the fredome of thair awin burgh Quhilkis lettres and privileges foirsaidis the saidis provest and baillies be the consent of thair counsall and communitie causit proclame and intimatioun maik And now specialie that Hew erle of Eglintoun Lord Montgomerie baillie of Cunyghame his assistaris and partakeris incure na danger of ignorance of the saidis protectioun privilegis and liberties foirsaid And heirupon the said Hew Campbell upon us notaris publick tuik instrumentis at the said mercat cross at sevin houris befoir none or thairby befoir thir witness Jehone Boll Ballachkewin Jehone Boll his sone thair Thomas Broun Stevin Tran Stevin Quhyt William Patoun Jehon Symontoun youngar William Mur Robert Montgomerie William Cunyghame Robert Cunyghame burgessis of the said burgh and us Jehon Mur George Boid and James Broun notairis publikis and burgessis of the said burgh with mony utheris diverss requerit thairto.

Jacobus Broun notarius publicus ad premissa testificanda requisitus approbo prescripta. Jacobus Broun.

Ita est Georgius Boyd notarius publicus ad premissa rogatus et requisitus manu propria subscribo.

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34. *Extract Act of Privy Council regarding the Jurisdiction of the Magistrates of Irvine and the Bailie of Cuninghame, and ordering the trial of Thomas Gilmour for slaughter.*—18*th June* 1572.

At Leith the auchtene day of Junii the yeir of God j^{m} v^{c} and lxxij yeiris The quhilk day forsamekle as the lordis of counsale of befoir continewit the actioune and caus contenit in our soverane lordis lettres purchest be the provest baillies and communitie of the burgh of Irwin aganis Hew erle of Eglintoune baillie of Cunynghame tueching the productioune befoir the saidis lordis of his richtis gif he ony hes quhairby he allegis him to haif privelege to sit upoune certane personis indwellaris of the said burgh takin for thift or ony utheris inhabitantis of the samin and refusis thame to be replegit be the saidis provest and baillies to the fredome of the said burgh and courtis thairof Like as at mair lenth is contenit in the saidis lettres unto ane certane day bigane with continuatioune of dayis And assignit the samin day to bayth the saidis partiis to produce all thair charteris infeftmentis titillis actis of replegiatioune richtis and utheris writtis quhatsumever quhilkis ather of the saidis par[tiis] hed or wald use in the said mater without prejudice of ather of thair defenssis ellis proponit or to be proponit thairin and als [in the] meynetyme dischargeit the said baillie and his deputis of all proceding aganis ony of the inhabitantis of the said bu[rgh] and fredome thairof and of thair offices in that part And siclike dischargeit the saidis provest and baillies of all executioune [aganis] personis within the samin burgh and fredome thairof in the meynetyme quhill the samin day Providing that it salbe lesum to tha[me to] tak apprehend keip in presoune and captivitie all sic personis dwelland within the said burgh and fredome thairof as [sall] happin committ ony crymes in the meynetyme Like as at mair lenth is contenit in ane act maid be the saidis Sen the making of the quhilk act Thomas Gilmur indwellar in the said burgh of Irwin is takin and in the handis of the [saidis] provest and baillies for the cruell slauchter of umquhile Robert Howie thair and thairfoir the saidis lordis willing that nochtwithstanding the dependence of the said pley befoir thame as said is justice sall not ceis to be execute upoune the said Thomas Gilmur for the said slauchter conforme to the lawis of this realme without preiudice of the said pley dependand act foirsaid and of ather of the saidis partiis richtis and titillis quhatsumevir or possessioune or replegiatioune usit or to be usit hes thocht necessar and expedient that my lord Regentis grace grant and geve our soverane lordis commissioune of justiciarie in dew forme makand constituand and ordinand Johnne Crawfurd of Crawfurdland his hienes justice in that part to the effect under writtin Gevand grantand and committand to him full power speciall mandment expres bidding and charge Court or courtis of justiciarie within the tolbuith of Irwin to set begin affirme hald and continew als oft as neid beis Sectis to mak be callit absentis to amerciat And in the samin court or courtis the said Thomas Gilmur for art and part of the cruell slauchter of the said umquhile Robert to call and be dittay to accus and as he beis fundin culpable or innocent of the said slauchter to minister and caus be ministrat justice upoune him conforme to the lawis of this realme ane assis to sufficient nowmer of the said burgh and foure halffis about lest suspect and that best knawis the veritie in the said mater ilkane under the pane of fourtie pundis to summond cheis and caus be sworne clerkis serjandis dempstaris and [other] officiaris and memberis of the saidis courtis neidfull to mak creat substitute and ordane for the quhilkis he salbe [haldin] to ansuer and the said commissioune to be forder extendit in dew forme with all claussis neidfull contenand and expreslie without prejudice of the said pley dependand and act foirsaid and of ather of the saidis partiis utheris [richtis] or possessioune quhatsumevir Quhilk the saidis lordis ordanis alsua to be registrat in the buikis of counsale ad [perpetuam] rei memoriam Extractum de libro actorum per me magistrum Jacobum M'Gill de Rankelour Nether clericum registri ac consilii Supremi domini nostri Regis sub meis signo et subscriptione manualibus.

Jacobus Makgill.

35. *Letters of Protection by Archibald Earl of Argyll to the Burgh of Irvine.—July* 1572.

Till all and sindrie quhome to it efferis to quhais knawlege thir present lettres of protectioun sall cum Archibald erle of Argile lord Campbell and Lorne and Justice generall of Scotland greting in God everlasting Wittis youre universiteis that forsamekle as oure umquhill predecessouris of guyd memorie in thair tymes past memor of man hes tane and ressavit the provest baillzeis and communitie of the burgh of Irwin (under oure soverane lordis majesteis predecessouris of maist noble memorie) in thair protectioun mantenance and salfe gard with the mantenance of the libertie and fredome of the said burgh and the inhabitantis thairof in all thare travellis suitis and besenes lauchfull And siclyck that the said provest baillzeis and communitie of the said burgh for the tyme hes cum under the protectione mantenance and salfegarde of oure said umquhill predecessouris for the tyme Lyck as now the provest baillzeis and communitie thairof present hes cum under oure awin protectione mantenance and salfegarde and subjectit thame and thare forisaidis to oure service befoir all utheris under oure soverane lordis majestie according to the auld leage mayd betwix oure sayd umquhill predecessouris and the said burghe of befoir Tharefore we be the tennour heirof tackis and ressavis thame and thair successouris provestis baillzeis and communitie of the said burgh in oure protectioun mantenance and salfegard wyth the mantenance and defence of the fredome and libertie of the said burghe and inhabitantis thairof (under oure said soverane lord and his graces successouris) in all thair travellis suyttis and besenes lauchfull during oure lyfetymes swa that quhatsumever persone or persones of quhatsumevery stait of hie or law degre wythin this realme (under oure said soverane lordis majestie) sall attempt to tribull molest harme or injure the foirsadis provest baillzeis and communitie of the said burgh or thair successouris thair fredomes liberteis landis rentis previlegis rowmes and possessiones be ony maner of way (by ordoure of law) we sall esteme and rekin the samyn as done aganis oure awin persone and sall assist and fortifie oure said servitouris for persuyt thairof wythe all rigoure in respect of the foirsaid auld and ancient leage and the present renewing of the samyn In witnes of the quhilk thing to thir present lettres subscrivit wyth oure hand and be the said provest baillzeis and court clerk of the said burgh for the tyme for the said commonitie thairof oure proper seale of armes and the commoun seale of the said burgh is to hung at the said burgh the day of Julii the yeir of God j^{m} v^{c} threscoir and twelfe yeris befoir thir witnessis

ROBERT KYILL bailze

Jacobus Broun scriba communis dicti burgi de Irwin ex parte communitatis ejusdem secundum tenorem acti secreti consilii prefati burgi. JACOBUS BROUN, *Scriba.*

[Seal of the granter—much effaced.]

36. *Commission of Justiciary in favour of the Magistrates of Irvine.* *20th March* 1572-3.

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus suis ad quos presentes litere pervenerint salutem Sciatis quod cum avisamento et consensu charissimi consanguinei Jacobi comitis de Mortoun domini Dalkeith etc. nostri ac regni et liegiorum nostrorum regentis fecimus constituimus et ordinavimus ac tenore presentium facimus constituimus et ordinamus predilectos nostros prepositum et ballivos burgi nostri de Irwin et eorum quemlibet conjunctim et divisim nostros justiciarios in hac parte ad effectum subscriptum Dantes concedentes et committentes eisdem et eorum cuilibet conjunctim et divisim nostram plenam potestatem et mandatum speciale curiam vel curias nostre justiciarie infra pretorium dicti nostri burgi de Irwin toties quoties opus fuerit statuendi inchoandi affirmandi tenendi et continuandi Et in eisdem curia seu curiis omnes et singulas personas de surreptione lie pykrie furto furti receptione suspectas et delatas infra dictum nostrum burgum commorantes assise cognitioni inde ponendi Et prout eedem ree seu innocentes adjudicabuntur justiciam super ipsos legibus et regni nostri consuetudini conformiter ministrandi et ministrare causandi Et ad hunc effectum assisas seu inquisitiones personarum meliorum et digniorum infra dictum nostrum burgum et quatuor dimedietates circa jacentes commorantium quamlibet personam sub pena decim librarum summoniendi citandi elegendi et jurari causandi sectas vocari faciendi absentes amerciandi transgressores et delinquentes puniendi exitus amerciamenta et escaetas dictarum curiarum petendi levandi et exigendi et pro eisdem si necesse fuerit namandi et distringendi unam dimedietatem earundem nobis et computum et ratiocinium ejusdem in scaccario nostro et alteram dimedietatem dictorum justiciariorum nostrorum proprio usui et commoditati pro ipsorum laboribus applicandi deputatos unum seu plures sub ipsis in prefato officio cum clericis seriandis adjudicatoribus et omnibus aliis officiariis et curie membris necessariis pro quibus respondere tenebuntur faciendi creandi substituendi et ordinandi Et generaliter omnia alia et singula faciendi dicendi gerendi et exercendi que in premissis et circa ea necessaria fuerint seu etiam quomodolibet oportuna Quare universis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus quatenus dictis nostris justiciariis in hac parte suis deputatis et ministris in omnibus et singulis premissa tangentibus prompte pareant respondeant et intendant sub omni pena que competere poterit in hac parte Presentibus pro nostra et dicti nostri regentis voluntate in suo robore tantummodo duraturis Datum sub testimonio nostri magni sigilli apud Edinburgh vicesimo die mensis Marcii anno Domini millesimo quingentesimo septuagesimo secundo et regni nostri sexto.

Per signaturam manu dicti domini Regentis subscriptam.

Abstract.

Commission of Justiciary by King James the Sixth, with advice and consent of James Earl of Mortoun Lord Dalkeith, etc., regent, appointing the provost and bailies of his burgh of Irvine, and each of them, jointly and severally, his justiciars in that part; giving them power and special mandate to hold courts of justiciary within the tolbooth of the burgh, as often as need should be, and to put to the knowledge of an assize all persons suspected and delated of "pykrie," theft and reset of theft, dwelling within the burgh, and to administer justice upon them as they should be found guilty or innocent, according to the laws and customs of the kingdom; and for this purpose to cite, choose, and cause be sworn inquests of the better and worthier persons dwelling within the said burgh and four halves lying about, each person under the penalty of £10, etc., half of the issues and escheats to go to the King and his account in Exchequer, and the other half to the justiciars' own use and behoof, etc. Given under the quarter seal at Edinburgh 20th March 1572.

37. *Contract of Sale between the Town of Irvine and John Wallace of Dundonald and others, of the lands of Marres.—3d August 1572: registered by Decreet of the Lords of Council 13th August 1590.*

At Edinburgh the xiij day of August the yeir of God j^{m} v^{c} lxxx ten yeiris The Lordis of Counsale underwrittin that is to say Mr. Williame Baillie Lord Provand president Adame bischop of Orknay Alexander commendater of Culros Sir Patrick Vans of Barnebarroch knycht Mr. Jhone Lyndesay persone of Menmuir Mr. Jhone Grahame persone of Killerne Mr. David Chalmer chancellar of Ros Williame Douglas of Quhittinghame Mr. Williame Melvile commendater of Tungland Alexander Hay of Eister Kennet clark register Mr. David M'Gill of Cranstoun Riddell advocat to our Soverane

Lord and Mr. Thomas Bannatyne of Newtyle Anent oure Soverane Lordis lettres purchest at the instance of the Provest baillies counsale and communitie of the burgh of Irving aganis Jhone Wallace of Dundonald Makand mentioun That quhair be verteu of ane Contract and Appointment maid betuix thame on the ane pairt and Jhonne Wallace of Dundonald umquhile Eduard Wallace of Sewaltoun and umquhile Robert Wallace his sone and appeirand air on the uthir pairt ffor certane soumes of money ressavit be thame fra the saidis persewaris they sauld annaleit and disponit fra thame thair airis and assignayes to the saidis persewaris and thair successouris of the said burch heretablie for evir ane sufficient rowme and quantitie of grund and land of thair landis of Marres extending to the quantitie of tuelff fallis of bread ffor lowsing and laidnyng of thair schippis boittis and merchandice off quhatsumevir uther that salhappin to resort towardis the said Burcht upoun the foirsaidis landis of Marres on ather syde of the Watter of Irving with ane sufficient gait and passage throwch the foirsaidis landis ffor frie ische and intres to and fra the said Watter togidder with ankirage and ankirheid upoun the saidis landis as at mair length is contenit in the said Contract Quhilk Contract bearis speciallie to be actit and registrat in the Buikis of Counsale that the Lordis thairof may interpone thair Decreit thairunto to the effect that Lettres and Executoriallis may be direct thairupoun in maner contenit thairintill And albeit it be of veritie that the foirsaidis persones contractouris on nawys will fulfill the said Contract in thair lyfetymes and the said Robert and Eduard Wallaces being deceissit nevirtheless the said Jhone Wallace of Dundonald on nawys will fulfill the said Contract nor yit will compeir befor the saidis Lordis of Counsale and consent to the registering thairof in maner contenit thairintill to the effect that Executorials may be direct upoun him for fulfilling of the samyn without he be compellit And anent the chairge gevin to the said Jhone Wallace of Dundonald to have comperit befor the saidis Lordis of Counsale at ane certane day bigane to have hard and sene the said Contract and Appoyntment decernit to be insert and registrat in the Buikis of Counsale and Lettres and Executoriallis to be direct thairupoun in maner underwrittin or ellis to have allegit ane ressonable caus quhy the samyn sould nocht have bene done as at mair lenth is contenit in the saidis Lettres The saidis Provest baillies counsale and communitie of the Burch of Irving compeirand be Maisteris Oliver Colt and Thomas Gray thair procuratouris and the said Jhone Wallace of Dundonald being lawfullie summond to this

Actioun oftymes callit and nocht comperit the Lordis of Counsale decernis and ordanes the said Contract and Appoyntment to be insert and registrat in the saidis Buikis of Counsale to have the strength of ane Act and Decreit of the Lordis thairof and decernis and ordanes Lettres and Executoriallis to be direct thairupoun ffor fulfilling thairof in all poyntis in maner specifiet thairintill off the quhilk the tennour followis: At the Burch of Irving the thrid day of August the yeir of God j^{m} v^{c} thriescoir tuelff yeiris It is appointit contractit and finallie aggreit betuix honourable pairteis following thay ar to say Jhone Wallace of Dundonald Eduard Wallace of Sewaltoun and Robert Wallace his sone and air appeirand on the ane pairt Hew Campbell proveist of Irving Hew Scott and Robert Kyle baillies thairof Thomas Broun Stevin Tran Jhone Peblis Stevin Quhyt Hew Tran Hew Neving Alexander Cunynghame Jhone Harvie Thomas Harvie Williame Tran Williame Stevinstoun Williame Patoun comburgessis of the samyn burch for thameselffis and with consent and assent of the hail communitie thairof on the uther pairt in maner following That is to say the said Jhone Wallace of Dundonald Eduard Wallace of Sewaltoun and Robert Wallace his sone grantis thame to have taine and actuallie ressavit fra the handis of the saidis Proveist and baillies and remanent persones abonewrittin ffor thameselffis and the haill communitie of the said Burch the soume of twa hundereth merkis money in numerat money gude and usuale of this realme and in thair use haillelie committit of the quhilk they grant thame weill content and compleitlie payit and thairof for thame thair airis executouris assignayes and successouris quitclames exoneris and dischairges the saidis Provest and baillies and communitie of the said Burch thair airis executouris assignayes and successouris for now and evir. For the quhilk caus abone exprimit the said Jhone Wallace of Dundonald Eduard Wallace of Sewaltoun and Robert Wallace his sone and air appeirand grantis thame to have sauld analeit and disponit lykas they be the tennour heirof sellis annaleis and disponis ffra thame and thair foirsaidis titulo oneroso ffor soumes of money in and to the saidis Provest baillies and communitie of the said Burch and thair successouris thairof heretablie for evir ane sufficient quantitie and rowme of grund of thair landis of Marres extending to the quantitie of tuelff fallis bread for lowssing and laiding of thair schippis barkis and boittis with thair merchandice and the merchandice of quhatsumevir utheris that salhappin to resort towardis the said Burch upoun the foirsaidis landis of Marres on ather syd of the Watter of Irving with ane sufficient gait and passage throwth the foirsaidis landis ffor frie ische and intres to and fra the said Watter togidder with ankirage and ankirhald upoun the saidis landis Provyding the samyn be nocht to the distructioun of the coirnes that salhappin to be growane upoun the saidis landis and sufficient Rowme alwayes of grund being left as said is unmanureit thairto with fredome and libertie to the saidis Provest baillies counsale and communitie of the said Burgh present for the tyme and thair successouris for ewir to dame and mak forcies of daming owirthort the said Watter of Irving quhair and in quhat place and sa oft as the saidis Provest baillies and communitie foirsaid and thair successouris sall think best and maist expedient for the commoun weill and commoditie of the said Burch Provyding always that thay may caus the said Watter of Irving thairby to ryn and haif the cours the best way as thai sall think expedient for the commoditie of the said Burgh schippis barkis and boittis thairof and utheris resortand thairunto swa that the samyn on nawayes hurt nor damnage na arable land of the foirsaidis landis of Marres ffarther nor privilegis abonewrittin And gif it salhappin the foirsaidis Jhone Wallace of Dundonald Eduard Wallace of Sewaltoun and the said Robert his sone thair airis and successouris to sell annalie dispone and away put or sett in lang or schort takkis or ony pairt thairof in ony tyme heirefter they sall reserve and accept thairintill the boundis liberteis and privilegis abone exprimit to the saidis Provest baillies and communitie of the said Burch and thair successouris for evir to be usit be thame as thair awin propper heretage And attour gif this present Contract be not sufficient that thairby the saidis Provest baillies and communitie and thair successouris may bruik and joys the Rowmes and privilegis abonewrittin grantit to thame be vertew thairof salbe renewit alterit and changeit and maid owir agane in the maist sure and ample forme can be devysit be men of law and judgment sa oft and how oft the said communitie and thair successouris sall think expedient upoun thair awin expensis ay and quhill the saidis Provest baillies and communitie and thair successouris be sure to bruik and joys the boundis liberteis and privilegis foirsaidis heretablie in the maist sure forme can be devysit keipand the effect and substance abonewrittin And for observation heirof ather of the saidis pairteis ar content this present Contract be registrat and insert in the Buikis of Counsale and that the Lordis thairof interpone thair Decreit thairunto and Lettres in forme as effeiris to be direct thairupoun And for registring heirof they haif maid constitut and ordanit honourable men and ilk ane of thame conjunctlie and severallie thair verray lauchfull and irrevocable procuratouris committand to thame thair full power for registratting heirof in thair names fferme and stable In witnes of the quhilk thing they and ilk ane of thame as followis hes subscryvit this present Appointment day yeir and place foirsaidis befor thir witnes Sic subscribitur Jhone Wallace of Dundonald Eduard Wallace of Sewaltoun Robert Wallace younger of Sewaltoun Hew Campbell Provest Hew Scott bailze Robert Kyle bailze Jhone Peblis Stevin Tran Hew Tran Alexander Cunynghame Thomas Broun James Robesoun Becaus the said Jhone Wallace of Dundonald wes laufullie summond to have comperit befor the saidis Lordis at ane certane day bigane to have hard and sene the foirsaid Contract and Appointment decernit to have bene insert and registrat in the Buikis of Counsale or ellis to have allegit ane ressonable caus quhy the samyn sould nocht have bene done with certificatioun to him and he failzeit thairin the saidis Lordis wald decerne in maner foirsaid And he being lauchfullie summond to that effect compeirit nocht to schaw ony ressonable caus in the contrair lyk as wes cleirlie understand to the saidis Lordis and thairfoir thai decernit in maner foirsaid and ordanes Lettres to be direct heirupoun gif neid beis in forme as effeiris Extractum de libro Actorum per me Alexandrum Hay de Eister Kennet clericum Rotulorum Registri ac Consilii Supremi Domini Nostri Regis sub meis signo et subscriptione manualibus. ALEXANDER HAY.

23 Merch 1677.

[*Dorso.*] Hew Killpatrick took Instruments.

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31 Merch 1698.

James Nisbet Baillie took Instruments upon the interruption made by Mr. Alexander Cunynghame Provest and him to James Guthrey tennent to Shewaltoun quhen plewing on the Sunnybuttbrae upon the tounes libertie and that in the hands of me notary publict clerk of Irving Robert Wallace late Baillie and uncle to Shewaltoun George Monro Clerk of Cunynghame John Marschell wrytter in Irving Andrew Spark merchant there Allan Francis my servant James Mure and Hugh Buckle Borrow officers and many others JO HAMILTON
Notar Publict.

38. *Commission of Justiciary to the Provost and Bailies of Irvine to punish Thomas Snodgirs for the murder of his wife.—1st March* 1573-4.

Jacobus Dei gratia Rex Scotorum omnibus probis hominibus suis ad quos presentes litere pervenerint salutem. Sciatis quod cum avisamento et consensu charissimi nostri consanguinei Jacobi comitis de Mortoun domini de Dalkeith etc. nostri ac regni et liegiorum nostrorum regentis fecimus constituimus et ordinavimus ac tenore presentium facimus constituimus et ordinamus predilectos nostros prepositum et ballivos burgi nostri de Irwin conjunctim et divisim nostros justiciarios in hac parte dantes concedentes et committentes eisdem nostram plenam potestatem et mandatum speciale Thomam Snodgirs burgensem dicti nostri burgi deprehensum et in pretorio dicti nostri burgi pro crudeli murthuro et interfectione quondam Semple ejus sponse detentum per eum noviter vigesimo primo die mensis Februarii ultimo elapsi sub noctis scilentio commisso justificandi et justificari faciendi Et ad hunc effectum justiciarie nostre curias unam vel plures statuendi inchoandi affirmandi tenendi et quoties opus fuerit continuandi clericum serjandum adjudicatorem ac omnes alios officiarios et curie membra necessaria faciendi creandi et jurari causandi assisam seu assisas ad hoc quamlibet personam sub pena quadraginta librarum summoniendi et summoniri faciendi Et generaliter omnia alia et singula faciendi dicendi gerendi et exercendi que in premissis et circa ea necessaria fuerint seu quomodolibet oportuna Quare universis et singulis quorum interest vel interesse poterit stricte precipimus et mandamus quatenus dictis preposito et ballivis conjunctim et divisim nostris justiciariis in hac parte antedictis suis officiariis et ministris in omnibus et singulis premissa tangentibus prompte pareant respondeant et intendant sub omni pena que competere poterit in hac parte Datum sub testimonio nostri magni sigilli apud Halyrudehous primo die mensis Marcii anno Domini millesimo quingentesimo septuagesimo tertio Et regni nostri septimo.

Per signaturam manu dicti domini Regentis subscriptam.

Abstract.

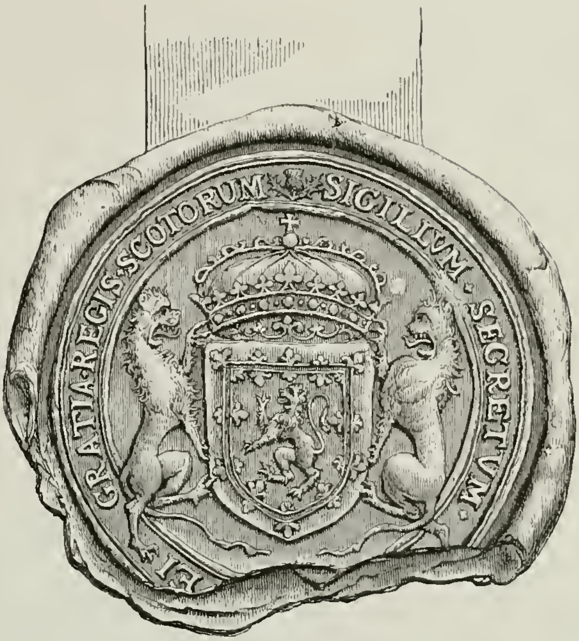
Commission of Justiciary by King James the Sixth with advice and consent of James Earl of Mortoun, Lord of Dalkeith, Regent, by which he

appoints the provost and bailies of the burgh of Irvine his justiciars in that part jointly and severally; giving them power to "justify" and cause to "be justified" Thomas Snodgirs of the said burgh, apprehended and detained in the tolbooth thereof, for the cruel murther and slaughter of the deceased Semple his spouse, lately committed by him under the silence of night on the 21st of February last; and to that effect to appoint courts of Justiciary, etc. Given under the quarter seal at Halyrudehous, 1st March 1573.

39. *Grant by King James the Sixth to the Burgh of Irvine of the Customs of the Burgh for five years, for repair of the Harbour.—15th August* 1579.

James be the grace of God King of Scottis to our comptrollar present and to cum his deputtis and officiaris and all utheris our liegis and subdittis quhome it efferis quhais knawlege this oure lettres salcum greting Wit ye us and lordis of oure secreit counsall understanding perfytelie that the heavin and port of oure burgh of Irving being decayit and brokin doun the provest baillies and communitie of the same hes not onlie spendit and bestowit thair haill commoun gude for beiting and reparing thairof, bot hes alswa raisit syndrie greit taxationis and contributionis amangis thameselffis for help and support of the same And seing the same is not abill to serve the turn, we have gevin grantit and disponit and be thir our letres gevis grantis and disponis to the saidis provest baillies and communitie of oure said burgh all and haill the custumes of oure said burgh extending yeirlie to the soume of twenty nyne markis for all the space yeiris and termes of fyve yeiris eftir the dait of thir oure lettres to the effect abone writtin with power to thame peaceablie to intromet thairwith uptak and dispone upoun the same for beiting and reparing of the said heavin and port during the space abonewrittin at thair plesoure Dischargeing you oure comptrollar present and to cum youre deputtis and officiaris off all craving ressaving uptaking and intrometting with the saidis custumes of oure said burgh of Irwing during the said space of fyve yeiris bot to suffer and permit the saidis provest baillies counsall and communitie thairof to intromet thairwith and dispone upon the same at thair plesour Gevin under oure privie seall at oure castell of Striveling the fyvetane day of August the yeir of God j^{m} v^{c} threscoir nynetene yeiris and of oure regnne the threttene yeir.

Per signaturam manibus supremi domini nostri regis ac dominorum sui secreti consilii subscriptam.



[*On tag.*] Litera Preposito ballivis consulibus et communitati burgi de Irwin.

40. *Commission of Justiciary to the Magistrates of Irvine, for the trial of William Portar for the slaughter of Andrew Dickie.*—19*th November* 1579.

James be the grace of God King of Scottis to all and sindrie our liegis and subditis quhome it effeiris to quhais knawlege thir our lettres salcum greting Forsameikle as it is understand to us and the lordis of our secreit counsale that Williame Portar indwellar within our burght of Irvin upoun the xxv day of October last bipast cruellie slew umquhile Andro Dikie in Paistoun Eftir the quhilk slauchter he wes takin reidhand and presentlie is in handis within our tolbuith of Irvin Quhairfoir we have gevin and grantit and be thir our lettres gevis grantis and committis our full power and commissioun to the provest and baillies of our said burght of Irvin to do justice upoun the said Williame for the said slauchter And to that effect we mak and constitutis thame conjunctlie and severalie our justices in that part Gevand grantand and committand to thame our full power and commissioun court or courtis of justiciarie als oft as neid beis within our tolbuith of our said burght to set begin affix hald and continew Sectis to mak be callit absentis to amerchiat trespassouris to puneis Assyissis ane or ma within our said burght and four half about leist suspect and that best knawis the veritie in the said mater to sufficient nowmer to summound warne cheis and caus be sworne ilk persoun not compeirand under the pane of ten pundis Clerkis serjandis dempstaris and all utheris officiaris and memberis of court neidfull to mak creat substitute and ordane for the quhilkis they salbe haldin to ansuer And generalie all and sindrie uther thingis to do exerce and use that to the premissis is necessarle requirit to be done Ferme and stabill haldand and for to hald all and quhatsumevir thingis our saidis commissioneris conjunctlie and severalie lauchfullie leidis to be done Commanding and charging you all and sindrie our liegis and subdittis foirsaid to concur and assist our saidis commissioneris and justices in the executioun of this our commissioun and do nor attempt na thing to thair hinderance as ye and ilkane of you will ansuer to us upon your obeydience at your uttermest charge and perrell Gevin under our signet and subscrivit with our hand at Haliruidhous the xix day of November and of our regnne the threttene yeir 1579.

James R.

[Montroiss] [Bwchane]

41. *Act of Privy Council ratifying and approving Act of Convention of Burghs at Glasgow concerning the Taxation of the Burgh of Irvine.*—1579-80.

ANENT the supplicatioun presentit to the Kingis Majestie and Lordis of Secreit Counsale be the communitie and inhabitantis of the burgh of Irvin, makand mentioun that quhair in the moneth of November lastbipast, they meanit unto his Hienes and the saidis Lordis, how that a nowmer of thame that war puir men, upoun a certane abuse usit be the Magistratis of the said burgh in collectioun of stentis and contributionis within the same in tymes bipast, war alike and equalie stentit with certane inhabitantis thairof of gretar rank and substance; at quhilk tyme it wes ordanit be his Hienes and the saidis Lordis that the commissionaris of burrowis sould sicht and considder thair supplicatioun, and quhat ordour they thocht meit to be taikin thairanent, to report the samin agane to his Hienes and the saidis Lordis, that ordour thaireftir mycht be followit furth as sould be thocht best, as the said supplicatioun and deliverance thairof at mair lenth propertis. According to the quhilk the saidis complenaris laitlie gave in the same supplicatioun to the commissioneris of Burrowis convenit at Glasgw; quha hes sichtit and considderit the same, and hes ordanit, quhen ony taxatioun sould happin to occur, that the said toun of Irvin sould be stentit, taxt, and ane taxt roll maid thairupoun, conforme to the use of uther burrowis—to witt, the provest, baillies, and counsale thairof sall caus and depute certane sworne men of the said toun to taxt everie ane within the samin according to thair habilitie—as ane act and ordinance maid thairupoun will testifie Quhilk act and ordinance the saidis complenaris hes reportit to his Hienes and the saidis Lordis: humilie desiring, thairfoir, that, be Act of Secreit Counsale, the foirsaid Act maid be the saidis Commissioneris of Burrowis mycht be ratifiit, approvit, and confermit, quhairthrow the samin mycht tak the bettir effect and executioun heireftir, like as at mair lenth is contenit in the said supplicatioun; quhairwith wes producit the said act and ordinance, off the quhilk the tennour followis:—

In the conventioun and assemblie of burrowis haldin at Glasgu the xxiiij, xxv, xxvj, and xxvij dayis of Februar 1579 yeiris:

Item anent the complaint gevin in be Hew Campbell provest and Gawin Nasmytht commissionaris of Irvin first gevin in to the Kingis Majestie and lordis of Secreit counsale and thairfra remittit to be decidit in this present conventioun tuicheing the abuse of the taxatioun and stent roll making within the toun of Irvin allegeing the samin to be sett in quarteris of the toun not having respect to thame that hes the guidis thairinto as in the said complaint is at mair lenth contenit The haill commissionaris of burrowis havand consideratioun thairof and advisand thairwith Ordanis quhen ony taxatioun salhappin to occur that the said toun of Irvin sould be stentit taxt and ane taxt roll maid thairoff conforme to the use of uther burrowis To witt the provest baillies and counsale thairof sall caus and depute certane sworne men of the toun to taxt everie ane within the same according to their habilitie.[1]

Quhilk Act and ordinance of the saidis Commissioneris, togidder with the said supplicatioun, being hard, sene, and considderit be the Kingis Majestie and Lordis of Secreit Counsale, and thay thairwith being ripely avisit, the Kingis Majestie and Lordis of Secreit Counsale, understanding the said Act and Ordinance, maid be the saidis Commissioners, to be agreebill to ressoun and conforme to the use and ordour of uther Burrowis, hes thairfor ratifiit, apprevit, and confermit, like as they be thir presentis ratifiis, apprevis, and confermis the said Act, ordaning the same to tak full effect and executioun heireftir in all pointis conforme to the tennour thairof.

42. *Letter from King James the Sixth to the Magistrates of Irvine anent the Convention of Estates.*—1*st September* 1586.

Traist freindis we greit you heirtlie weill. Upoun gude considerations moving us we have thocht meit to alter the day and place of this conventioun of our estaittis to the tein day of September instant and in our burch of Edinburcht quhairfor we desire you richt effectuuslie that ye faill not to have your commissioneris present with us the said day as ye will do us speciall plesour and gude service. Thus we commit you to God frome our castell of Sterling the first of September 1586. JAMES R.

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[1] *Regist. Secreti Concilii Acta*, September 1579–October 1581, pp. 418, 419.

[*Dorso.*]

To our traist fr[eindis the provost]
bailyes and coun[sale of] Irwyne.

43. *Decreet of the Justice-deputes remitting to the Magistrates of Irvine to adjudicate upon a crime committed by one of their Burgesses.*—16*th November* 1586.

CURIA Justiciarie Supremi Domini nostri Regis tenta in pretorio de Edinburgh decimo sexto die mensis Novembris anno Domini millesimo quingentesimo octuagesimo sexto per honorabiles viros magistros Joannem Grahame de Halyairdis Willelmum Oliphant et Eduardum Bruce justiciarios deputatos nobilis et potentis domini Archibaldi comitis Ergadie domini Campbell et Lorne etc. Justiciarii generalis dicti supremi domini nostri Regis totius regni sui ubilibet constitutos sectis vocatis et curia legitime affirmata: The quhilk day comperit maister Alexander King commissionar and procuratour speciallie constitute for the provest bailleis counsall and communitie of the burgh of Irrving be thair lettres of procuratorie and produceit ane chartoure and infeftment gevin and grantit to the said burgh of Irrving the bailleis and communitie thairof be umquhile oure soverane lordis predecessoure umquhile King James the Fourt of guid memorie be the quhilk it is gevin grantit and ordenit that quhow oft and att quhat tyme it salhappin ony burges or burgessis induellar or induellaris of the burgh of Irrving to be areistit and atteichit to quhatsumewir court or courtis before quhatsumewir judge or judgeis for quhatsumewir caus that thay salbe repledgeit and reduceit to the libertie of the said burgh of Irrving And that thay within the samin burgh sall underly the law be ane assyis of the nychtbouris of the samin as the said infeftment of the dait at Edinburgh the aucht day of August the yeir of God j^m v^c and ellevin yeiris and of the Kingis regnne the xxiiij yeir att mair lenth beris Accoirding to the quhilk chartoure he desyrit and requyrit that Niniane Barclay burges of Irrving now enterit on pannell summond to compeir before the justice or his deputtis this day and place to underly the law for the mutilatioun of Johnne Broun burges of Irrving of his rycht leg committit within the said burgh of Irrving in the moneth of Maii the [yeir of God j^{m}] v^{c} fourscoir and fyve yeiris to be re[pledgeit] red[uce]it and brocht hame fra the jurisdictioun and priviledge of the justice generall and his deputis to the libertie and priviledge of the said burgh conforme to the tennour of the said chartour Quhilk chartour being red sene and considerit be the saidis justice deputis and they throwchlie avisit thairwith Thay ordenit the said Niniane to be remittit to the libertie of the said burgh Quha fand Thomas Harvie ane of the bailleis of the said burgh of Irrving actit cautioun and souirtie that he sall compeir before the provest and bailleis of the burgh of Irrving in the tolbuith thairof the aucht day of December nixtocum in the hour of caus to underly the law for the mutilatioun of the said Johne Broun of his rycht leg Eftir the forme and tennour of our soverane Lordis lettres direct thairupoun and under the panis contenit in the actis of parliament And siclyke the said Thomas Harvie become cautionar and souirtie for administratioun of justice to the partie complenand the saidis day and place in the houre of caus under the pane of law Extractum de Libro actorum Adjornalis Supremi domini nostri Regis per me Ludovicum Bellendene de Auchnowle militem clericum justiciarie ejusdem generalem sub meis signo et subscriptione manualibus.

LUDOVICUS BALLENDEN, *Clericus Justiciarie.*

44. *Act of Parliament granting Commission anent the Brig [Burgh ?] of Irving.*—1587.[1]

OUR Soverane Lord with advise and consent of the thrie estaittis of this present parliament hes given and grantit power and commissioun to the richt honorable Robert Lord Boyde, William Cunynghame of Capringtoun, and Hew Campbell of Teringane, or ony twa of thame conjunctlie to pas to the burgh of Irving ony time thai pleis appoint to that effect and thair to visie and considder the watter mouth heavin port and herborie of the said burgh quhair the schippis and barkis wont to repair lose and ladin and thairupone to confer with the maist honest and ancient burgessis of the said burgh and landit gentilmen duelland nixt adjacent thairto and sie gif the said herbrie possiblie may be helpit and quhat sowmes and moyen wald help the saymen and to report thair opinioun and proceedingis in the premissis to the Lordis of Secreit Counsall And in cais eftir the said report the said hevin and herbrie beis fundin remedable our said soverane Lord with advise and consent of the saidis thrie estaittis gevis and grantis full power and commissioun to the saidis Lordis of Secreit Counsall to grant and appoint ane ressounable generall stent and taxatioun upone sic pairtis of the cuntrie as thai sall think maist expedient for the speciall help and support of the said decayit herbrie and heavin and to make speciall act and ordinance upone the said taxatioun contening the forme and ordour of the payment and ingaddering of the samin for the said support siclyk and in the samin maner as the saidis thrie estaittis micht have done thameselffis in this present parliament and ordanis lettrez to be direct heirupone gif neid beis in forme as effeiris.

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[1] *Acts of Parliament*, vol. iii. p. 520.

45. *Letters of Charge to the Burghs to guard against the admission of Jesuits, etc., into the country.—5th March* 1588-9. [Copy.]

James be the grace of God king of Scottis to our lovittis William Forsyth messingeris our schirreffis in that part conjunctlie and severallie speciallie constitut greiting Forsameikill as it is understandit to us and lordis of secreit consall [from] travelleris in the sey furth of our realme that divers strangeris as wele as borne subjectis of the sect of Jesuittis excommunicat personis semnare preistis and utheris passangeris ar transportit furth of utheris countres and brocht within our realme careing to and fra mony trassonable and dangerous wryttingis bukis lettres and messaigeis to the hurt and prejudice of the trew religioun and of the royale persone and auctoritie of us and our gud subjectis For remeid quhairof Our Will is and we charge you straitlie and commandis that incontinent thir our lettres sene ye pas and in our name and auctoritie command and charge the proweistis and baillies of our burrowis of Abirdene Montrois Dumdee Sanctanderois Carraill Anstruder Pettinvene Dysert Kirkcaldey Kinghorne Brunt Iland Leith Haymouth Quencisferrie Dumbartane Air Irvine Kirkandbrycht and all utheris buorrowis and touns within our realme within quhais harberis portis havinis schipis or utheris veschellis arryvis or sall arryve as alswa the custumaris and cocquattiaris within the saidis boundis be opin proclamatioun at the mercat crocis of the same burrowis and touns that nane of thame tak upon hand

to suffer or permit ony of the saidis schipis or veschellis to depairt furthe of our realme at ony tyme hencfurth nor yit custume thair gudis nor grant cocqueit thairupon Bot to fens and arreist the same schipis and veschellis and take the saillis fra the rais unto the tyme they find sufficient and responsall souerteis actit in thair tunis bukis that they sall not transport furth of oure realme nor yit bring within the same ony Jesuittis excommunicat personis semnare preistis passingeris strangeris nor utheris inemyis to the treuth thair bukis lettres or messagis proivatlie nor publiclie nather cary ony forbidden guidis furth of [the] realme without our speciall licenc obtenit to the same effairis and last that th[ey] sall gife up the
of that equipage and company for quhom thai salle ansuer under the pane of confiscatioun of thair . . . blis and of the rest of thair moveable guidis to our use certefeing the said provest baillyes custumar and cocquattiaris and they faillze or be fund negligent heirin that we will crave compt at thair handis and will caus thame ansuer and underly the pane and puneisment dew to trassonable practicis aganis the said religioun our persone and estat with all rigour and extremitie Quhilk catioun and souertie being fund in maner and to the effect foirsaid we grant license thairefter be thir presentis to the maisteiris skipperis and ownaris of the said schippis and veschellis to depeirt furth of our realme in thair lauchfull traid and merchandres nochtwithstanding our lait proclamatioun maid in the contrair Certefeing thame that depairtis afoir the finding of the *Sic.* said somond thay salbe persewit in thair personis and guidis according to the tenour of the same proclamatioun with all rigour and extremitie as ye will ansuer to us thairupone The quhilk to do we commit to you conjunctlie and severallie our full power be thir lettres delyvering tham be you dewly execut and indorsat againe to the beirar Gevin under our signet at Edinburgh the fyft day of Marche and of our regnne the xxij yeir 1588.

Per actum Secreti Consilii.

WILLIAME FORSYTH, *messinger.*

[*Indorsed.*]—Copie of ane charge gevin to the Towne.

46. *Act of Privy Council granting New Commission anent the Harbour of Irvine.*—1590.[1]

Upon a supplication presented by the provost, baillies and council of the burgh of Irving to Parliament in July 1587, commission had been granted to Robert Lord Boyd, Williame Cunynghame of Caprintoun, and Hew Campbell of Terrinyeane, to report to the Privy Council on the "hevin and herbrie" of the said burgh. [Acts of Parliament, 1587, c. 13, iii. 520.]

The said commission had not, however, been executed; and now, as only the last named of the said commissioners is alive, and "necessar it is that sum utheris be appointit," the King, on petition from the said provost, baillies and council, gives full power to Thomas, now Lord Boyd, Master of Eglintoun, Blair of that Ilk, and Hew Campbell of Terrinyeane, or any two of them conjunctly "to pas to the said burgh of Irwing," and to "visie and considder" the water mouth, haven, port and harboury thereof, and to "se gif the same may be helpit," and for that purpose to "confer with the maist honest and ancient burgessis of the said burgh and landit gentilmen dwelland nixt adjacent thairto, and quhat sowmes of money wald help the same, and gif the same can not be helpit, to visie sum uther commodious place nixt adjacent to the said burgh quhair ane herbry may be biggit, and to set doun ane overture how the same may be biggit and quhat expenssis wilbe requisite," reporting to the King and council by the Feast of Pasch next. *Sic.*

47. *Letters of Charge against the Town of Irvine for proportion of the "General Extent."*—2*d January* 1590-1.

James be the Grace of God King of Scottis to our lovittis William Forsyth messingeris our Shireffis in that pairt conjunctlie etc. Schawin to us be our lovit Henrie Charters merchand burges of our Burgh of Edinburgh Collectour of the Taxatioun under specifeit That quhair the Commissioners of our Burrowis of Edinburgh Perth Dundie and Abirdene for thameselffis and thair saidis Burrowis and as haveand power and commissioun of the remanent haill Burrowis of our Realme being convinit at Edinburgh the xxix day of October anno lxxxix yeiris to heir the customar Comptis thairof and upoun the inlaik of the samyn for payment of xxx tunis Wynis furneist to

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[1] *Register of the Privy Council*, vol. iv. p. 511, 1590.

us fra the first day of October anno lxxxviij yeiris to the first day of October anno lxxxix yeiris foirsaid as yit unpayit to sic as furnist the samen the pryces quhairof efter dew advysement according to the maner of the dounsetting thairof in tymes preceiding being fund to extend: viz., everie tun thairof to vj^{xx} xij ƚib The saidis Commissioners ordanit ane generale extent of the sowme of four thowsand pund to be set and raisit of the haill Burrowis of our Realme according to the generale Roll set doun thairanent and upoun the inlaik of the Custumes efter the dounsetting quhairof the saidis Commissioners hes ordanit the Collectour Generall upoun the Burrowis expenssis to ingadder the samyn and upoun the refusaris to pay thair particular pairts of the said extent as thai salbe extentit to And thir our Lettres of Horning upoun the said act to be raisit and execute as in the said Act and ordinance maid thairupoun at lenth is contenit According to the quhilk ordinance the saidis Commissioneris being lyikwayis convenit at Edinburgh upoun the first day of October anno lxxxx^{o} yeiris maid and set doun ane extent Roll contenand the particular sowmes undir writtin imput upoun everie Burgh within this Realme and speciallie upoun our Burrowis under writtin for payment of thair pairtis of the said Taxatioun Thay ar to say Irwing tuentie four pundis Off the quhilk Taxatioun and particular sowmes abone writtin the Proveistis and Baillies of our Burrowis speciallie abone namit hes not maid nor will mak the said Compliner payment ilk ane of thame for thair awin pairtis as is abone devydit conforme to the said taxt Roll without thai be compellit Oure will is heirfoir that ye command and charge the Provest and Baillies of the Burrowis speciallie abone writtin to set ane extent Roll upoun the burgessis merchantis craftismen and inhabitantis of thair saidis Burrowis ilk ane of thame for thair awin pairt as is abone devydit and to collect inbring and delyver to the said Compliner of the samen ilk ane of the saidis Burrowis for thair awin pairtis according to the said taxt Roll maid thairanent within ten dayis nixt eftir thai be chargit be you thairto under the pane of rebellioun and gif thai failzie to denunce and eschete etc. And immediatlie efter your said denunciatioun that ye use the haill ordour prescrivit in the Act of Parliament as ye will answer to us thairupoun etc. Gievin under our Signet at Edinburgh the secund day of Januar and of our regne the xxiiij yeir 1590.

Ex deliberatione Dominorum Consilij, etc.

48. *Missive by King James the Sixth to the Provost and Bailies of Irvine, requiring the attendance of their Commissioners at Holyrood in prospect of the birth of a successor to the Crown.—18th December* 1592.

Traist freindis we greit you hartlie weil It has plesit God to our contentment and we ar assurit na les to the comown lyking of all our effectit subjectis to blis with appeirance of successioun (our darrest bedfallow the Quene being with chyld and neir the tyme of her delyverie) Quhilk and uther wechtie effairis geving occasioun of a mair necessar deliberatioun and advyse of oure nobilitie and estaittis nor at ony tyme heirtofoir We have thocht meit to desyre you maist ernistlie that ye faill nocht all excuissis sett apairt to addres your commissioneris towardis us heir at Halyrudhous the xj day of Januar nixtocum at quhat tyme ye salbe acquentit with the particularis moving your cuming quhilk we assuridlie luik for as ye will kyth your affectioun in that erand furnessing mater of comoune rejoysing we dout nocht you and all our subjectis and to the advancement of sic purpoissis of grit wecht and importance as ar to be cravit and resolvit in that conventioun Sua committis you to Goddis blissit protectioun Frome Halyrudhous the xviij day of December 1592.

James R.

To our traist freindis the provest baillies and
counsale of our burgh of Irwing.

49. *Letters of Charge against the Burghs for the payment of their Maills in sterling money.—2d January* 1593-4.

James be the Gres of God King of Scottis to our lovitis David Neilsoun messenger our Sherifeis in that pairt conjunctlie and severallie constitut greitting Forsemeikill as the Lordis auditouris of our Chaikker considdiring how our Burrow ruiddis and privilaig of the maist pairt of our Burrowis of our Realm ar sett of auld for the Burrow meillis contenit in thair infeiftmentis to be payit in Stirlling money and throw negligens of our officiaris thir diveris yeiris bygane our meillis ar resavit in current money to our

greit hurt and prejudice thairfor hes ordanit thir or Lettres to be derect in manner following Our will is heirfor and we chairge you stratlie and commandis that inconteinent thir our Lettres sene ye pas and in our name and auctoritie command and charge the heill Proviestis and Ballies within our Reallm to produce thair infeiftmentis in our Chaikker the xxvj *Sic.* day of Januar instant and the day of next tocum that it may be knawin quhiddir they sall pay Stirrveling money or current money of our Reallm with ceirttificatioun to thame and thay failze thay salbe haldin and decernit to pay the samen in tyme cuming or ellis the aweill thairoff as is in current money conforme to our Act of Parliament and to justis as ye answer to us thairupone The quhilk to do we commit to you conjunctlie and severallie our full powair be thir our Lettres delyvering thame be you dewllie execut and indorsit agane to the beirair Geivin undir our Signet at Edinburgh the secund day of Januar and of our regene the xxvij yeir 1593.

Per actum Dominorum Scaccarij.

50. *Missive from the Lords of Parliament to the Provost and Bailies of Irvine, anent the payment of Burgh Maills in sterling money. —3d January* 1593-4.

Efter our maist hairtlie commendationis for deliberating upone the materis of the custumes and impost of wynis according to the articlis presentit to the parliament in Junii 1593 thair wes conference betuix sum that the Kingis Majestie directed for that purpois and the commissioneris of burrowis about this tyme twelf moneth and then materis left to a new meiting and sensyne at the parliament haldin in Junii thair wes directioun gevin to tak ordour anent the payment of certane burrow mailis in sterling money and seing the chekker is presentlie sittand and that thair is also a conventioun of the Estaitis appointed agane the xj day of Januar instant we have thocht expedient according to his Majestyis direction gevin us to desyre you effectuuslie that your commissioneris to be send to the said conventioun may be instructed to confer treat and conclude with sic as salbe directit be his Majestie in thir materis sa as the same may be setlit to the contentment of his Majestie and you all, God willing To quhais

protectioun we commit you at Edinburgh the thrid day of Januarii 1593. Your assurit freindis[1]

Blantyre

Newbotle

A Hay

Lyncloudon

Culluthy

Durhame of Duntervie

M Young

I David Neilsoun messinger delyverit this meself to the proveist and balyis Irwin the xv day of Januar 1593. Dauid Neilsoun *messinger*
w^{t} my hand.

[*Addressed.*] To our richt traist freindis
the provest and ballies of Irwing etc.

51. *Extract Decreet of the Lords of Council in the Action at the instance of Laurence Scott against the Magistrates of Irvine anent the office of Town Clerk thereof.—7th December* 1594.

At Edinburgh the sevint day of December the yeir of God j^{m} v^{c} four scoir fourteine yeiris The Lordis under writtin Thay ar to say Johnne lord Thirlstane chancellar Alexander lord Vrquhart president Alexander commendator of Culros William commendator of Tungland Master James

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[1] The Signatures are :—Blantyre, Newbotle, Lyncloudon, A. Hay, Culluthy, Durhame of Duntervie, M. G. Young.

Elphinstoun of Innernochtie Sir Patrick Vaus of Barnbarroche knycht Master Thomas Hamiltoun of Dumcairne Master Johnne Skene clerk of Registre Master David M'Gill of Cranstoun-riddell Andro Weymes of Maircairny Sir Richard Cokburne of Clerkingtoun knycht secretar Sir John Cokburne of Ormestoun knycht Justice Clerk Master Johnne Lyndsay persone of Menmuire Anent oure Soverane Lordis lettres purchest at the instance of Laurence Scott servitour to Master William Scott of Grangemure Director of the Chancellarie aganis Hew Neving provest Alexander Dunlop and Archibald George baillies and Niniane Barclay baillie commissioner of the burgh of Irwing and the counsell and communietie thereof and Hew Garven thair Court Clerk makand mentioun that quhair his Hienes be his utheris Lettres of gift under the Previe Seill have gevin and grantit to the said Laurence the office of the Clerkship and commoun toun Notarie of the said burgh of Irwing during all the dayes of his liftyme with full power to the said persewar to minister in the said office use and exerce the samyn at his pleasour and to creat and substitute ane clerk under him for exerceing and using thairof during quhat tyme he pleissis ffor quhome he salbe answerable to us upoun the executioun of his office and to intromet with all and sindrie casualities fies and dewties pertening to the said office ayther be the said persewar for himself or his Depute dischargeing the provest and baillies of the said burgh of creatioun of ony uther clerk therein in the meantyme as the saidis Lettres of gift maid to the said persewar thairupoun of the dait the penult day of September last bipast at mair lenth proportis Be vertew of the quhilkis the said persewar hes gude and undouttit rycht to the said office and all fies and deuties belanging thairto Nochttheles the provest baillies counsell and communitie of the said burgh of Irwing will on nawis acknaulege him commoun Clerk of the said Burgh suffer and permit him be himself and his deputtis minister in the said office use and exerce the samyn intromet and uptak quhatsumevir fies and dewties belanging thairto conforme to the Lettres of Gift without thay be compellit And anent the charge gevin to the saidis defenderis to haif comperit befoir the Lordis of Counsall at ane certane day bigane to haif hard and sene utheris Lettres in all the four formes decernit to haif bene direct at the instance of the said persewar and ilk executioun to be efter uther within xxiiij houris and the wairding place to be in the Castell of Blacknes in caice of disobedience chargeing thame and ilk ane of thame to haif acknawlegeit the said persewar as commoun clerk of the said

Burgh To haif sufferit and permittitt him and his deputtis and na utheris to haif ministerit thairin usit and exerceit the samyn intromettit and uptakin all fies and dewties belanging thairto efter the forme and tennour of the saidis Lettres of Gift or ellis to allege ane ressonabill caus quhy the samyn suld not be done as at mair lenth is contenit in the saidis Lettres The said persewar comperand be Mr. John Russell his procuratour and the saidis defendaris comperand be Master William Oliphant thair procuratour Thair rychtis ressonis and allegationis being hard sene and considderit be the saidis Lordis and thai thairwith being ryplie advisit The Lordis of Counsell assoilzeis simpliciter the saidis defendaris from the haill poyntis and contentis of the saidis Lettres and petitioun of the said persewar aganis thame in the said mater And decernis thame frie and quyte thairfra in tyme tocum Becaus it was allegit peremptorlie be the said Master William Oliphant procuratour for the saidis defenderis that na Lettres aucht to be grantit in all the four formes at the instance of the said Laurence Scott aganis thame to acknawlege the said Laurence as commoun Clerk of the said Burgh suffer and permit him and his deputtis and na utheris minister thairin use and exerce the samyn intromett and uptak all fies and deuties belanging thairto efter the tennour of the saidis Lettres of Gift Becaus the foirsaidis Lettres of Gift proceidis frome our Soverane Lord in the moneth of September last bipast anno four scoir fourtene yeiris quha had na power to dispone the office of Clerkschip and commoun toun Notarie of the said Burgh of Irwing contenit in the said Gift Becaus the Burgh of Irwing lang befoir the dait of the said Gift wes ane frie Burgh Regall erectit of auld in ane frie burgh regall with all immunities privilegis liberties and fredomes perteining to frie burghis regall within this realme and thairby hes undouttit rycht to elect and creat all officeris within Burgh be the lawes of this realme and speciallie thair toun Clerk for quhome thai ar obleist to be answerable Quhilk allegeance being fund relevant be the saidis Lordis and admittit to the saidis defendaris probatioun (nochtwithstanding of the haill answeris maid thairto for the pairt of the said persewar) The saidis defendaris instantlie verefeit the same be productioun of divers and sundrie infeftmentis chartoris evidentis and writtis hard sene and considderit be the saidis Lordis as was cleirlie understand to the saidis Lordis and thairfoir thai assoilzeit simpliciter in maner foirsaid And ordanis Lettres to be direct heirupoun gif neid beis in forme as effeiris Extractum de libro actorum per

me Magistrum Johannem Skene Clericum Rotulorum Registri ac Consilii Supremi Domini Nostri Regis sub meis signo et subscriptione manualibus.

JOHANNES SKENE, *Cls. Regri.*, etc.

52. *Act of Privy Council granting Commission for inquiring as to the fitness of a particular creek in Little Cumbrae to be a new Harbour for the Burgh of Irvine.*—1596.[1]

SUPPLICATION by the Provest, baillies, and council of the burgh of Irvine as follows:—

The Act of Parliament appointing Robert, Lord Boyd, William Cunynghame of Caprintoun, and Hew Campbell of Terringeane, or any two of them, commissioners for reporting on the "heavin porte and herbory" of thair burgh, and empowering the imposition of a taxation for its support (1587, c. 13, iii. p. 520), hes taken no effect, two of the principal commissioners so nominated having died, and the watter mouth having become so "ouerblawne and fillit with sand that it is unremediable and can not be helpit through occasioun quhairof sindrie of thair nichtbouris hes sustenit grite losse and shipwrack, and thair toun brocht to grite miserie and povertie; and, be appeirance, thay will losse the haill benifite and trade of the sey, without remeid be providit: and, thay haveing considderit the haill commodious pairtis nixt adjacent to thair burgh, quhair ane harborie maist commodiouslie may be had, thay fand na parte sa meit as ane creik in Little Comray, quhilk thay ar unable be thair awne moyne to gett accommodat for that purpois unless the said Act of Parliament tak yit effect." Thay humbly desire therefore that commission may be given to Walter, Prior of Blantyre, treasurer, Sir Mathew Steuart of Minto, Fleming of Barrochin, James Hammiltoun of Ardoch, and Johnne Craufurde of Crawfurdland or any two of them conjunctly for attending to the matter. Accordingly the King and Council gave full power and commission to the said persons to visit the said creek and consider if it may be suitable for a harbour "and to confer with sic men of jugement and experience as thay think meit anent the expenssis and sowmes of money quhilk will satisfie the heretour of the said creek, and perfyte and accomplish the said harborie and to reporte thair procedingis heiranent to his Majestie and his Prevey Counsaill betuix and the first day of November nixt to cum, that thaireftir the saidis Lordis according to the previlege grantit be the said Act of Parliament may appoint the said taxatioun and sett doun the forme and maner of the ingaddering and payment thairof."

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[1] *Acts of the Privy Council*, vol. v. p. 293, 1596.

53. *Grant by the Privy Council to the Burgh of Irvine for five years of a right of exacting duties on goods passing up and down the Clyde, the same to go towards the new Harbour for the Burgh.—29th July* 1596.[1]

Reference to the Act of Parliament (1587, c. 13, iii. p. 520), and to the Act of Secret Council of 3d June last, appointing certain commissioners to visit and report upon the creek in Little Comray as a place where "ane harborie maist commodiouslie micht be had" for the town of Irving. The said commissioners have lately sighted and considered the said creek, and found that the same will be a sufficient harboury for ships and all other vessels, and that, for repairing and completing of the same, payment of masons and wrights and other workmen, and furnishing all materials requisite, the expenses will amount in all to the sum of £4773, 6s. 8d. This report having been heard and considered by his Majesty and Lords of Secret Council, "thay, upoun a speciall cair and regaird had be thame to the weill and proffeit, not onlie to the haill inhabitantis of the said toun, bot of all the cuntreis nixt adjacent thairto, quha wilbe accomodat and easit at all occasionis be the said harborie, baith at thair outpassing and incuming to the same," grant to the provost, bailies, council and community of Irwing, for the space of five years from the date hereof, the "toust, exactioun, and impoist," to the effect foresaid, of all the following sorts of merchandise that shall enter or pass furth of the ports of Air, Glasgu and Dunbartane, or that shall "pas up and doun the saidis watteris or ony parte to and fra the samin townis and watteris, and betuix the saidis townis, alsweill the hielandis as laulandis" viz., "off every last of barrellit guidis, quhilk is ane tun and ane halff, fyve shillingis; and of every tun of guidis and merchandice, iii^{s} iiii^{d}; and of every pype, hoigat and barrell accordingly *pro rata;* off every fisheair boit yeirlie, v^{s}; and of every manis skair within the same boitis yeirlie, v^{s}; and that for the three fisheingis of the north and south sey hering and killing; of every hundreth bollis of salt of water mett, ane half boill, and siclyke halff boll of all victuaill or uther stuff of barkis, mett be boll; of every hundreth tree, jeist, daill or burde of aik, or uthir tymmer, cabir, or rungis, ane; and of every boit that bringis in horse or ky frome the Hielandis, ten shillingis." There is also an order to charge all and sundry merchants, skippers and mariners of the said ships, crears, boats, barks, "coparis" and other vessels, by open proclamation at the market crosses of Irving, Glasgu, Dunbartane, and their parish kirks, and all other places needful, to make payment to the said town council of the said impost to the effect abovewritten, during the said space, within ten days after being charged, under pain of rebellion. It is also concluded that no suspension shall be granted of letters of horning till the sums charged for be consigned in the hands of James Primrois, writer; who shall keep the same in his hands till the reasons of suspension be discussed. It is however, provided that, in case the inhabitants of the said burghs complain that they are "extraordinarlie handillit be the rasing of this present exactioun and impost upoun thame, without thair consent and knauleg, to thair grite hurt and prejudice," then their complaints shall be heard and considered, and disposed of according to equity and good conscience.

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[1] *Register of the Privy Council,* vol. v. p. 305.

54. *Charter by King James the Sixth, confirming to the Burgh of Irvine all the rights and privileges thereof.*—1*st May* 1601.

Jacobus Dei gratia Rex Scotorum omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis nos cum avisamento et consensu confisi et predilecti nostri consiliarii Davidis Murray de Gospertie militis nostrorum computorum rotulatoris ratificasse approbasse [et pro] nobis nostrisque successoribus pro perpetuo confirmasse omnia et singula infeofamenta et cartas per nos nostrosque preclarissimos progenitores datas et concessas penes erectionem et creationem burgi nostri de Irwing in liberum burgum regalem cum omnibus libertatibus immunitatibus privilegiis et commoditatibus quibuscunque in eisdem specificatis in omnibus et singulis conditionibus punctis passis articulis clausulis et circumstanciis in dictis infeofamentis mentionatis et contentis secundum earundem formas et tenores Ac volumus et concedimus proque nobis nostrisque successoribus decernimus et ordinamus quod hec presens generalis nostra ratificatio infeofamentorum suprascriptorum tanti sit et erit valoris roboris efficatie et

sufficientie in omnibus respectibus ac si omnia predicta infeofamenta perprius facta et concessa penes antedictam suprascripti burgi erectionem specialiter et ad longum in hac presenti carta nostra expressa et ingrossata fuissent Preterea nos pro bono fideli et gratuito servitio nobis nostrisque preclarissimis progenitoribus per prefectum ballivos consules dictique burgi de Irwing incolas temporibus retroactis prestito et impenso proque majori policie et edificiorum incremento faciendo infra dictum nostrum burgum pro nostro nostrorumque subditorum eidem frequentantium asiamento et hospitio necnon pro diversis aliis bonis causis et considerationibus nos moventibus ex nostra certa scientia proprioque motu cum avisamento et consensu antedictis de novo creavimus et ereximus tenoreque presentium de novo creamus et erigimus totum et integrum predictum burgum de Irving omnesque et singulas terras tenementa domos edificia hortos communitates pertinen[ciaque eidem] spectantes in liberum burgum regalem Acetiam dedimus concessimus et disposuimus tenoreque presentium damus concedimus et disponimus prefecto ballivis consulibus burgensibus dictique burgi de Irving communitati suorumque successoribus hereditarie totum et integrum predictum burgum de Irving una cum omnibus et singulis terris aliisque subscriptis eidem spectantibus et pertinentibus, viz. omnes et singulas terras et tenementa infra dictum burgum jacentia totas et integras terras vulgo nuncupatas lie burrow landis alias Montaber, Gallowmure, Knodgerhill, Newmure, Hie Myre, Guildelandis, Weirisholme, Inner et Utter Boigfauldis, unacum integris pascuis lie wardis pratis acris et commu[n tatibus infra dicti] burgi territorium aliisque quibuscunque per ipsos possessis vel de ipsis perprius immediate tentis unacum omnibus et singulis aliis terris tenementis annuis redditibus molendinis multuris piscationibus viis semitis aliisque quibuscunque pertinen per ipsos eorumve predicessores possessis et gavisis cum omnibus portubus littoribus lie harbreis et bulwarkis eidem pertinentibus cumque omnibus custumis anchoragiis privilegiis et libertatibus solitis et consuetis Similiter et adeo libere in omnibus respectibus quam alius quivis burgus regius infra regnum nostrum habent vel privilegia sua et libertates possident Idque infra omnes balliatus de Conynghame bond[as burgi nostri] de Irwing libertati perprius annexatas cum plenaria potestate dictis prefecto ballivis consulibus burgensibus dictique nostri burgi de Irwing communitati eorumque successoribus pistores brasiatores et artifices necessarios in eodem tenendi simul et habendi Necnon in eodem emendi et vendendi vinum cibum pannum lineum et laneum latum et densum pisces carnes omniaque alia in quovis burgo infra nostrum regnum emi vendique solita Acetiam cum potestate ipsis in dicto nostro burgo tres liberos nundinarum dies annuatim tenendi et habendi Quarum primum per Augusti decimum quartum decimum quintum et decimum sextum dies continuando Secundum nundinarum Septembris die initiando et ad ejusdem mensis [Sep]timum diem nundinarum incipiendo vicesimo tertio mensis Octobris die et inde vicesimo quarto et vicesimo quinto continuando duas hobdomadatim forales dies dictorum dierum foralium clericos serjandos adjudicatores aliosque omnes curie officiarios nostri burgi communi bono necessaria eligendi Burgalis curie affigendi toties quoties opus fuerit tenendi leges et constitutiones [pr]edicti nostri burgi communi bono faciendi eademque secundum constituimus tenoreque presentis carte nostre facimus et con[stituimus] prefectum et ballivos dicti [nostri] burgi de Irving presentes et futuros nostros justiciarios ipsis justiciarias et vicecomitatus curias in eodem tenendi ac transgressores et malefactores in eisdem puniendi exquirendi capiendi et apprehendi justiciamque erga ipsos prout secundum nostri regni leges rei vel innocentes inventi fuerint ministrari causandi Inquisitionemque aut inquisitiones necessarias summoniendi quamlibet personam juramenta prestare et admitti causandi Sectas vocandi absentes amerciandi exitus amerciamenta et dictarum curiarum exactas petendi et levandi et precipiendi eadem Necnon super dictorum malefactorum ut dictum est communiendi escaetis ad ipsorum placitum disponendi ad commune dicti burgi nostri bonum clericos serjandos membra curie necessaria in dictis justiciarii et in hac parte vicecomitatuum officiis pro justicie in eisdem administratione faciendi et constituendi cum omnibus et singulis libertatibus et immunitatibus quibuscunque quolibet alio libero burgo regali infra regnum nostrum pertinentibus seu juste pertinere valentibus quomodolibet in futurum Tenendum et habendum [totum et integrum] predictum nostrum burgum de Irving cum omnibus et singulis terris tenementis domibus edificiis hortis pomeriis molendinis multuris piscationibus communitatibus portubus le [harbreis et bulwarkis] viis semitis custumis anchoragiis privilegiis libertatibus immunitatibus pro commoditatibus lie outsettis partibus pendiculis dictique burgi nostri pertinenciis quibuscunque seu quorum prefecti ballivi consules et ejusdem burgi nostri communitas quovis tempore preterito in possessione fuerunt dictis prefecto ballivis consulibus dictique nostri burgi communitati eorumque successoribus de nobis nostrisque successoribus in feodo hereditate [et libero] burgagio imperpetuum Per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris marresiis viis semitis aquis stagnis [rivolis] pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cunicularis columbis columbariis fabrilibus brasinis [brueriis] et genestis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce Cum curiis et earum exitibus amerciamentis herezeldis bludewitis mulierum merchetis et escaetis dictarum curiarum [cum lie] pit et gallous infangtheif outfangtheif thole theme vert wrak wair et vennesoun Ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac justis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope similiter et adeo libere in omnibus respectibus quam quivis alii nostri liberi burgi regales sua privilegia libertates aliasque commoditates quascunque [iisdem] spectantes usi sunt aut potuerunt libere quiete plenarie integre honorifice bene et in pace sine aliqua revocatione contradictione obstaculo seu impedimento aliquali Reddendo inde annuatim dicti prefectus ballivi consules et communitas suorumque successores nobis nostrisque successoribus summam septem librarum sex solidorum et octo denariorum usualis monete hujus regni nostri Scotie ad solutionis terminos solitos et cons[uetos] annuatim [in] nostris scaccariis computum reddere tenebuntur Cum servicio burgi solito et consueto tantum Proviso omnimodo quod si quovis tempore futuro per autentica scripta verificatum fuerit dictum nostrum burgum de Irving nobis aut nostris predecessoribus quovis tempore preterito aliquam monetam Strivilingensem vel majorem annuum reditum quam suprascriptum est unquam persolvisse quod tunc et in eo casu nos nostrique successores bonum jus ad eandem monetam Strivilingensem maximumque annuum redditum pro eodem quovis tempore preterito persolutum habemus et habebunt non obstante presenti hoc nostro infeofamento supra specificato et ac si idem nunquam [datum et] concessum fuisset In cujus rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus predilectis nostris consanguineis et consiliariis Joanne Marchione de Hamiltoun comite Arranie domino Evandale etc., Joanne comite de Montrois domino Grahame etc., cancellario nostro Georgio comite Mariscalli domino Keith etc., regni nostri mariscallo dilectis nostris familiaribus consiliariis dominis Jacobo Elphinstoun de Barntoun nostro secretario Richardo Cockburne juniore de Clerkingtoun nostri secreti sigilli custode militibus Magistro Joanne Skene nostrorum rotulorum registri ac consilii clerico domino Joanne Cokburne de Ormestoun milite nostre justiciarie clerico Et magistro Willelmo Scott de Elie nostre cancellarie directore Apud Dalkeith primo die mensis Maii anno Domini millesimo sexcentesimo primo et regni nostri trigesimo quarto.

ABSTRACT.

Charter by King James the Sixth by which he ratifies and confirms all and sundry infeftments and charters granted by him and his progenitors in reference to the erection and creation of his burgh of Irvine into a free Royal Burgh, with all the liberties and privileges specified therein : And further, for the faithful service done to him and his progenitors by the provest bailies and councillors of the said burgh, increase of policy and building within the same, etc., the King of new creates and erects all and whole the foresaid burgh of Irvine, and lands, tenements, etc., belonging to the same into a free Royal Burgh, granting and disponing to the provost, bailies, councillors, burgesses, and community of the same, and their successors, all and whole the foresaid burgh of Irvine, and lands and others belonging thereto, viz. the lands and tenements lying within the said burgh ; the lands commonly called the Burrow Lands alias Montaber, Gallowmure, Knodgerhill, Newmure, Hiemyre, Guildelandys, Weirisholme, Inner and Outer Bogfauldis, with the wairds, acres, and commonties within the territory of the said burgh and others possessed by them or immediately held of them, with all other lands, etc., possessed by them or their predecessors ; ports and harbours, bulwarks, with customs, anchorages, privileges and freedoms, as freely as any other Royal Burgh within the kingdom, and that within all the bounds of the bailliary of Cuninghame [and also Largis] formerly annexed to the liberty of the Burgh. With power to make and have bakers, braziers, etc., sell and buy, etc., and to have three free fairs yearly, the first beginning on the [13th] day of August

and continuing till the 16th; the second beginning on the [7th] of September and continuing till the [10th]; and the third beginning on the 23d of October and continuing till the 25th; and also two weekly market days with power to make clerks, serjeants, etc., and to hold Burgh Courts: The King further creates the provost and bailies of the burgh his justiciars and sheriffs in that part within the liberty of the Burgh, with the usual powers: To be held of the King and his successors in fee heritage and free burgage for ever, for payment of £7 : 6 : 8 Scots yearly, rendering account to the Exchequer and service of Burgh used and wont: Provided that if it should be verified that the Burgh had at any time previously paid sterling money or a greater annual rent, the King or his successors should have good right to such sterling money or greater rent. The Great Seal is appended at Dalkeith 1st May 1601. Witnesses John Marquis of Hamilton Earl of Arran Lord Evandale, etc., John Earl of Montrose Lord Grahame, etc., chancellor, and others.

55. *Instrument of Sasine upon Crown Charter in favour of the Burgh of Irvine, of the whole rights and privileges thereof.—2d September* 1601.

In Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Domini millesimo sexcentesimo primo die vero mensis Septembris secundo regnique supremi domini nostri Jacobi Sexti Scotorum regis illustris[simi] anno tricesimo quinto In nostrorum notariorum publicorum et testium subscriptorum presentiis personaliter comparuerunt honorabiles viri Patricius Trane prepositus burgi de Irweine Thomas Cuming unus ballivorum ejusdem Joannes Peblis Ninianus Barcley et Archibaldus George quidam consiliariorum [dicti] burgi pro seipsis necnon nomine dicti burgi et communitatis ejusdem super solum et fundum terrarum dicti burgi aliarumque subscriptarum Ac habentes et tenentes in eorum manibus quoddam sasine preceptum subscriptum dicti supremi domini nostri Regis e ejus cancellaria sub testimonio sui magni sigilli cera alba app[en]si ballivo de Cunynghame et deputatis suis necnon ballivis subtus mentionatis de Cunynghame in hac parte specialiter constitutis directum Et ibidem dictum sasine preceptum honorabilibus personis Willielmo Stevinstoun ballivo deputato de

Cunynghame et Hugoni Scot comburgensibus dicti burgi ballivis de Cunynghame in hac parte in dicto precepto specialiter nominatis et constitutis ea qua decuit reverentia presentaverunt ipsosque humiliter requirendo pro executione ejusdem debite facienda Qui vero ballivi in hac parte antedicti dictum preceptum sasine a manibus dictorum prepositi ballivi et aliorum suprascriptorum reverenter receperunt Et idem nobis notariis publicis subscriptis perlegendum publicandum et in hanc publicam instrumentalem formam redigendum reddiderunt tenor cujus precepti sequitur verbatim et est talis Jacobus Dei gratia Rex Scotorum ballivo nostro de Cunynghame et deputatis suis necnon dilectis nostris Willielmo Stevinstoun ballivo deputato de Cunynghame et Hugoni Scot burgensibus de Irweine et eorum cuilibet conjunctim et divisim ballivis nostris de Cunynghame in hac parte salutem Quia nos cum avisamento et consensu confisi et predilecti nostri consiliarii Davidis Murray de Gospertie militis nostrorum computorum rotulatoris pro bono fideli et gratuito servitio nobis nostrisque preclarissimis progenitoribus per prefectum ballivos consules et incolas burgi nostri de Irweine temporibus retroactis prestito et impenso proque majore policie et edificiorum incremento faciendo infra dictum nostrum burgum proque nostro nostrorumque subditorum eidem frequentantium asiamento et hospicio necnon pro diversis aliis bonis causis et considerationibus nos moventibus ex nostra certa scientia proprioque motu de novo creavimus et ereximus totum et integrum predictum burgum de Irweine omnesque et singulas terras tenementa domos edificia hortos communitates pertinentiaque eidem spectantia in liberum burgum regalem Ac etiam dedimus concessimus et disposuimus prefecto ballivis consulibus dictique burgi de Irwin communitati suorumque successoribus in perpetuum totum et integrum predictum burgum de Irweine unacum omnibus et singulis terris aliisque subscriptis eidem spectantibus et pertinentibus videlicet omnes et singulas terras et tenementa infra dictum burgum jacentia totas et integras terras nuncupatas lie burrowlandis [alias Montaber Gallowmure] Knodgerhill Newmure hiemyre Guldelandis Weirisholme Inner et Utter Bogfauldis unacum integris pascuis lie wardis pratis acris communitatibusque infra dicti burgi territorium aliisque quibuscunque per ipsos possessis et de ipsis immediate perprius tentis unacum [omnibus aliis et singulis] terris tenementis annuis redditibus molendinis multuris piscationibus viis semitis aliisque quibuscunque dicto burgo ejusve libertati pertinentibus per ipsos eorumve predicessores possessis et gavisis cum omnibus portubus littoribus lie harbries et bulwarkis [eidem pertinentibus] cumque omnibus custumis anchoragiis privilegiis et libertatibus iisdem spectantibus solitis et consuetis similiter et adeo libere in omnibus respectibus quam alius quivis burgus regius infra regnum nostrum habet vel privilegia sua et libertates possidet idque infra omnes balliatus de Cunynghame bondas necnon lie Lairgis dicti nostri burgi de Irwene libertati perprius annexatas cum plenaria potestate dictis prefecto ballivis consulibus burgensibus dictique nostri burgi de Irweine communitati eorumque successores pistores brasiatores laniatores piscatores aliosque omnes artifices necessarios in [eodem] faciendi simul et habendi necnon in eodem emendi et vendendi vinum ceram pannum linium et lanium latum et densum pisces carnes omniaque alia mercimonia in quovis libero burgo nostro regali infra regnum nostrum emi vendique solita Ac etiam cum potestate ipsis in dicto nostro burgo tres liberos nundinarum dies annuatim tenendi et habendi Quarum primum super Augusti decimum tertium diem incipiendo ejusdemque mensis decimum quartum et decimum sextum dies continuando secundum dictarum nundinarum septimo Octobris die incipiendo et inde [ejusdem] mensis decimum diem continuando Ac tertium predictarum nundinarum incipiendo vicesimo tertio mensis Octobris die et inde vicesimo quarto et vicesimo quinto ejusdem mensis diebus continuando Necnon duas hepdomatim forales dies quorum unum die dictorum dierum foralium et nundinarum custumas solitas et consuetas levandi et percipiendi superque eadem ad ipsorum placitum disponendi Et similiter cum potestate prefectum ballivos thesaurarios decanos gilde clericos serjandos adjudicatores aliosque [omnes curie officiarios] et membra pro ejusdem burgi nostri bono et gubernatione necessaria eligendi Burgales quoque curias toties quoties ipsis expediens videbitur initiandi affigendi affirmandi totiesque quoties opus fuerit tenendi et continuandi Acta leges et constitutiones predicti nostri burgi communi bono faciendi easdem

ponendi Ac etiam fecimus et constituimus prefectum et ballivos burgi nostri de Irving presentes et futuros nostros justiciarios et in hac parte vicecomites infra ejusdem libertatem Cum potestate ipsis justiciarias et vicecomitatus curias in eodem tenendi [transgressores et malefactores in iisdem] puniendi exquirendi capiendi et apprehendi apprehensosque ad inquisitionis cognitionem ponendi justiciamque erga ipsos prout secundum regni nostri leges rei vel innocentes inventi fuerint ministrari causandi inquisitionemque aut inquisitiones necessarias sum-m[oniendi] pena comparere recipi juramenta prestare et admitti causandi Sectas vocandi absentes amerciandi exitus amerciamenta et dictarum curiarum exactas petendi et levandi et pro iisdem dummodo opus fuerit namandi et distringendi superque eadem nec exactis ad ipsorum placitum disponendi ad commune dicti burgi nostri bonum Clericos serjandos adjudicatores aliosque omnes officiarios membraque curie necessaria in dictis justiciarie et in hac parte vicecomitatus officiis pro justicie in iisdem administr libertatibus commoditatibus privilegiis immunitatibus proficuis custumis et immunitatibus quibuscunque cuilibet alio libero burgo regali infra regnum nostrum pertinentibus seu juste pertinere valentibus quomodolibet in futurum Prout in carta nostra desuper dictis prefecto ballivis consulibus dictique nostri burgi communitati eorumque successoribus vel suis certis actornatis latoribus presentium sasinam totius et integri predicti nostri burgi de Irvin cum omnibus et singulis terris tenementis dom[ibus] communitatibus portubus littoribus lie bulwarkis viis semitis custumis anchoragiis privilegiis libertatibus immunitatibus proficuis commoditatibus lie outsettis partibus pendiculis dictique burgi nostri pertinentiis quibuscunque seu quarum prefecti [burgi nostri communitatas] quovis tempore preterito in possessione fuerunt Secundum formam et tenorem predicte carte nostre quam de nobis inde habent justi haberi faciatis et sine dilatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim committimus potestatem Datum sub testimonio nostri magni sigilli apud Dalkeyth primo die mensis Maii anno Domini millesimo sexcentesimo primo et regni nostri tricesimo quarto Post cujusquidem precepti sasine prelecturam et publicationem prefati Gulielmus Stevinstoun officii tenoreque dicti sasine precepti personaliter existentes super solum terrarum aliarumque subscriptarum propriis suis manibus statum et sasinam hereditariam pariter et possessionem realem actualem et corporalem totius et integri predicti burgi de Irving cum omnibus et singulis terris aliisque subscriptis eidem spectantibus et pertinentibus videlicet omnium et singularum terrarum et tenementorum infra dictum burgum jacentium totarum et integrarum terrarum vulgo vocatarum lie burrowlandis alias Montaber, Gallowmure, Knodger [hill] Newmure Hiemyre Guldelandis Weirisholme Inner et Utter Bogfauldis unacum integris pascuis lie wardis pratis acris communitatibusque infra dicti burgi territorium aliisque quibuscunque per ipsos possessis et de ipsis immediate perprius tentis unacum aliis et singulis terris tenementis annuis redditibus viis semitis aliisque quibuscunque dicto burgo ejusve libertati pertinentibus cum omnibus portubus littoribus lie harbries et bulwarkis Cumque omnibus custumis anchoragiis privilegiis libertatibus immunitatibus proficuis commoditatibus lie outsettis do[mibus] pendiculis dictique burgi pertinentiis quibuscunque seu quarum prefecti ballivi consules vel ejusdem burgi communitas quovis tempore preterito in possessione fuerunt vel de ipsis immediate tente fuerunt Prefatis Patricio Trane preposito et Thome Cuming [Joanni Peblis] Niniano Barcley et Archebaldo George quibusdam consiliariorum dicti burgi pro seipsis et nomine dicti burgi et reliquorum communitatum ejusdem Per deliberationem illis personaliter presentibus et acceptantibus terre et lapidis fundi dicti burgi terrarumque clope et hopper molendinorum ejusdem et unius denarii ut moris est Secundum tenorem dicti sasine precepti dederunt contulerunt et deliberarunt Super quibus omnibus et singulis premissis dicti prepositus ballivus et reliqui consilii suprascripti burgi et communitatis ejusdem a nobis notariis publicis subscriptis sibi ipsis fieri petierunt hoc presens publicum instrumentum seu instrumenta Acta erant hec apud crucem foralem dicti burgi necnon super solum et fundum dictarum terrarum molendinorum aliarumque singulatim et successive per se horas inter decimam ante meridiem et secundam post meridiem sub anno die mense et regno quibus supra Presentibus ibidem Thoma Boyd Alexandro Montgomerie Alexandro Cunynghame Hugone Quhyit Roberto Craig conburgensibus dicti burgi et Olivero Broun uno officiariorum ejusdem testibus ad premissa vocatis pariterque rogatis.

Et ego vero Laurentius Scott Glasguensis diocesis notarius publicus, etc. Ante omnia veritas. L. SCOTT, *N. P.*

Et ego vero Hugo Garvene Scriba balliatus de Cunynghame clericus Glesguensis diocesis regia auctoritate notarius publicus, etc.

H. G. N. P. In te salutis spem posui meæ.

Abstract.

Instrument of Sasine, proceeding on the precept following on the foregoing charter, dated at Dalkeith 1st May 1601, by which Patrick Trane, provost of the Burgh of Irvine, Thomas Cuming, one of the bailies, John Peblis, Ninian Barclay, and Archibald George, councillors of the said burgh, for themselves and in name of the burgh and community thereof, receive from William Stevinstoun, bailie depute of Cuninghame, and Hugh Scot, co-burgesses of the said burgh, bailies of Cuninghame in that part, to whom the precept was directed, sasine of the foresaid Burgh of Irvine, with the Burrowlandis, etc., all as contained in the preceding charter. Done at the Market-cross of the said burgh, and on the various lands and others specified, in presence of Thomas Boyd, Alexander Montgomerie, and other burgesses, 1st September 1601.

56. *Summons at the instance of the Magistrates of Irvine, against the Owners of Lands, etc., in the Burgh, to produce and exhibit their Charters.—24th December* 1602.

James be the grace of God King of Scottis to our lovittis
oure Shireffis in that pairt conjunctlie and severalie speciallie constitute greting fforsamekill as it is humelie menit and schawin to us be our lovitis Archibald George provest Alexander Dunlop and William Patoun baillies for thameselfis and in name and behalf of the counsale and communitie of our Burgh of Irving That quhair thai have guid and undoubtit richt to our said burgh with all landis tenementis houssis biggingis yairdis pairtis pendicles and pertinentis of the samyn as the infeftmentis seasingis richtis and tittillis maid to thame and thair predicessoris thairupoun at mair lenth proportis And trew it is that the personis efter nominat bruikis joissis and possessis all and sindrie the landis tenementis and utheris particularlie underwritin lyand within the friedome and libertie of our said burgh ilk ane of thame for thair awin pairtis as is efter devydit To witt

And thairfoir necessar it is to the saidis complaineris to knaw be quhat richt or tittill the foirnemit personis bruikis and joissis the landis tenementis and utheris abone writtin and intromet with the proffittis and dewteis

thairoff Nevertheless the foirnemit personis wrangouslie reffussis postponis and differris to exhibite and produce befor the lordis of our Counsale all and sindrie Infeftmentis charteris preceptis instrumentis of seasing confirmatiounis and utheris securities quhatsumevir maid to thame or thair predicessoris or authouris of the Landis and utheris abone writtin to the effect that the saidis complineris may knaw the contentis thairof viz. be quhome and to quhome the samyn ar maid and grantit how the samyn ar hauldin and quhat yeirlie dewtie provisiounis and claussis irritant ar thairin contenit and thairupoun may intent actioun of reductioun or improbatioun of the samyn as accordis of the law without thai be compellit Oure will is heirfor and wee charge you that ye lawfullie summond warne and charge the fornemit personis personallie or at thair duelling places and the tutouris and curatouris of the saidis minoris gif thai ony have for thair enteress be open proclamatioun at the Mercat Croce of our burgh of and utheris places neidfull to compeir befoir us and our Counsale at Edinburgh or quhair it sall hapine us to be for the tyme the day of in the hour of caus with continuatioun of dayis bringand and exhibitand with thame befor the saidis lordis of our Counsale all and sindrie infeftmentis charteris preceptis instrumentis of seasing confirmatiounis and utheris richtis and securities quhatsumevir maid to thame or ony of thame thair predicessoris or authouris of the foirsaidis landis tenementis and utheris particularlie abone writtin with the pertinentis or ony pairt thairof quharby thai bruik and joise the samyn and intromet with the proffittis and dewteis thairof of quhatsumevir dait or daittis tennour or contentis the samyn be To be sene and considderit be the saidis lordis of our Counsale and to heir and sie the autentik copeis and doubillis thairof under our clerk of registeris hand writt decernit to be delyverit to the saidis complineris upoun thair ressonabill expenssis To the effect that thai may knaw the contentis thairof and thairupoun intent and persew actioun of reductioun annulling or improbatioun of the samyn as accordis of the law or ellis allege ane ressonabill caus quhy the samyn sould not be done with certificatioun to thame as effeiris—According to justice as ye will answer to us thairupoun The quhilk to do we committ to you conjunctlie and severalie our full power be thir our lettres delyvering thame be you dewlie execute and indorsate agane to the berar Gevin under our signet at Edinburgh the xxiiij day of December and of our regne the xxxvj yeir 1602.

Ex deliberatione Dominorum Consilij. A. KYNNEIR.

57. *Act by the Committee of Estates anent the Repayment by the Burghs of* 150,000 *Gilders, borrowed from the Factors at Campvere.* —20*th January* 1641.

At Edinburgh the twentie day of Januar j^{m} vj^{c} and fourtie ane yeiris The Lordis and utheris of the committie of the Estaittes of Parliament understanding that the Commissioneris of the Burrowes at thair desire had undertaken the advancement of ane hundreth and fiftie thousand gilderis debursit be James Weir Thomas Cunynghame and James Elleis factoris at Campheir at the desire of the Estaittes of this Kingdom conform to the declaration given in be the saids Burrowes in November last and ane act of the saidis Burrowes of the dait the eightene of this instant quhairby they obleist thair burghis for payment of the foresaid soume to the saidis factoris betwixt and the threttene day of May nixt Thairfoir the saidis Lordis and utheris of the saidis Committie of Estaittes ordanes all persones of quhatsomever qualitie residing within the shireffdome quhair any of the saidis burghis ar situate quhen they shalbe requyrit be any of the saidis Burrowis quho shall advance thair proportionall pairt of the said soume to subseryve such bandis or securities for thair releiff as shalbe presentit to them And the refuiseris to be censured and punished according to the former Act of the said Committie of Estaites of the daitt the twentie sext day of November last. Lykas also the saidis Lordis and utheris of the said Committie of Estaites of this Kingdome for thair farder securitie bindis and obleissis the Estaites of this Kingdome to repay to the saidis Burrowes the said soume compting for ilk hundreth gilderis the soume of ane hundreth and eight pundis Scottis and that betwixt and the said threttene day of May nixt And sua lang as the samyn sall remane unpayit efter the said day Lykas also it is heirby declarit that the saidis Borrowes shall have libertie of retentioun in thair awine handis of quhatsomever farder taxatioun or impositioun shalbe imposit upoun them efter this dait At leist sua meikle thairof as will satisfie and releive them of the annual-rent of the proportioun of the said soume undertakin be thame as said is And siclyke the saidis Burrowes shall have all the uther immunities contained in the said former act and declaratioun inssert in the buikis of the said Committie of Estaites upoun the said twentie sext day of November last by past And last the said Committie of Estaittes does heirby bind and obleis

the Estaittes of this Kingdome to warrand and releive all and everie persone that shall bind and give securitie to the saidis Burrowes or ony particular persone within burgh for the caus forsaid off all danger perrill inconvenient or prejudice quhatsomever quhilk they or thair ares or executoris may sustaine or incure thairthrow in ony tyme heireftir Sic subscribitur Montrois Cassillis Lindesay Burghly S. D. Home Craighall S. J. Hamiltoun S. P. Murray Thomas Hope [Mr. T. Nicolsoun ?] Edward Edgar James Scott.

Extractum de libris actorum prædictorum Dominorum Commissionariorum Parliamenti Per me

Ro. Hepburne.

58. *Ratification by Parliament of the Rights of the Burgh of Irvine.—17th November* 1641.

In the Parliament haldin at Edinburgh the sevinteine day of November the yeir of God j^{m} vj^{c} fourtie ane yeires. Our Soveraine Lord and Estates of Parliament ratifies and approves the foure Chairtoris and Infeftmentis and utheris respective efterspecifeit videlicet ane chairtor grantit be King Robert the Secund to and in favouris of the burghe of Irving and burgessis theirof giveand libertie to them allennerlie to use their merchandice and injoy the samin frielie within the haill boundis borderis and mairches of the haill baronies of Cunynghame and Largis annexit to the liberties of the said burghe and dischairging any utheris to disquyet thame theirintill With power also to them and their successouris to hold and posses the said burghe in ane frie burghe with all priviledgis and liberties als frielie and honorabillie as any uther burghe within the kingdome With the libertie of gild and to make gildbrether in maner conteinet in the said chairtor quhilk is of the dait the aucht day of Apryle in the secund yeir of his Majesties regne and confirmed be King Robert the thrid upon the secund day of Januar in the first yeir of his regne And ane uther chairtor of confirmatioun grantit be umquhile King James the fourt to the said burghe of Irvin baillies and commountie theirof Ratifieing and approveing the haill priviledgis liberties and immunities quhatsomever grantit of befoir to the said burghe conteining ane priviledg of Replegiatioun grantit to the said burghe ffor Replaidging and Reduceing of quhatsomever burges or burgessis indweller or indwelleris within the samin burghe that sall happin to be attatchit or areistit to quhatsomever court or courtis befoire quhatsomever judg or judgis to the libertie of the said burghe of Irving and that they within the samin burghe sall underly the law be ane assyse of the nichtbouris of the samin Quhilk chairtor is daitit the aucht day of August j^{m} v^{c} and ellevin yeiris With the haill actis of Replegiatioun grantit in favouris of the said burghe of Irving be vertew of the chairtor foirsaid Ane uther chairtor under the great seill grantit be umquhile King James the sext with advyse and consent of his hienes Regent for the tyme to the said burghe of Irving and their successoris off all and quhatsomever landis houssis tenementis bigingis kirkis chaplenries yeardis orcheardis annuellrentis and utheris quhatsomever quhilkis perteinet to quhatsomever chaplenries altarages prebendaries chapellis or colledgis within the said libertie of the said burghe of Irving And sex bollis of moulter or suckin quhilkis perteinet to the Carmeline freires of the said burghe and wer upliftit be them furthe of the landis of Ormisheuche Reddinghill and Hoalhous lyand within the bailliarie of Cunynghame and all uther annuellrentis quhatsomever perteining of befoire to the saidis freires within the said burghe and libertie theirof daitit the aucht day of Junij j^{m} v^{c} thriescoire twelff yeires And ane uther Chairtor of Confirmatioun under the great seill grantit be the said umquhile King James the sext ratificand and approveand all and quhatsomever Infeftmentis and Chairtoris grantit be his Majestie and his hienes predicessouris anent the erectioun and creatioun of the burghe of Irvine in ane frie burghe royall with all liberties immunities priviledgis and commodities quhatsomever conteinet thairintill Quhilk chairtour conteines ane claus de novodamus in favouris of the said burghe of Irving and thair successouris off all and haill the burghe of Irving with the landis and tenementis lyand within the samin The landis callit the burrow landis alias Montaber Gallowmure Knodzerhill Newmure Hiemyre Auldelandis Weirisholme Inner and Utter Boigfauldis with the haill pasturage or wairdis meidowis aikeris and commountie within the said burghe With all and sindrie utheris landis annuellrentis mylnes moulteris fischingis and utheris quhatsomever perteining to the said burghe with all seaportis or harbories and bulwarkis perteining thairto With all casualities anchoragis priviledgis and liberties belonging to the samin With power also to the provest and baillies of the said burghe and their successoris to keip and hold Justice and Shereff Courtis within the liberties of the said burghe to punische malifactoris conforme to the lawis of this realme and to dispone upon thair escheitis to the use of the said burghe With the priviledg of yeirlie faires and weeklie mercatis in maner specifeit in the said chairtor quhilk is of the dait the first day of May j^m vj^c and ane yeiris with all that hes followit or may follow upon the saidis foure chairtouris To be haldin in maner specifeit in the saidis ffoure chairtoris and Infeftmentis in all and sundrie the heidis poyntis articles claussis circumstances and conditiounes conteinet in the saidis foure chairtoris and efter the formes and tennoris theirof in all poyntis And our said soveraine Lord and Estates of Parliament decernes and ordaines that this present Ratificatioun theirof is and sall be als valied and of als great force strenth and effect to the said burghe of Irving and their successoris as if the saidis foure Chairtoris and Infeftmentis wer at lenthe insert de verbo ad verbum heirintill Quheiranent and with all uther defectis imperfectiounes and objectiounes quhatsomever quhilkes may be proponit or objectit againes the saidis foure Chairtoris and Infeftmentis or any of them our said Soveraine Lord and Estates of this present parliament dispensis forever Extractum de libris parliamenti per me Dominum Alexandrum Gibsone Juniorem de Durie militem clericum rotulorum Registrj ac consilij supremj domini nostri regis sub meis signo et subscriptione manualibus.

Alex. Gibsone, *Cls. Regrj.*

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59. *Letter from the Marquis of Argyll to the Magistrates of Irvine requiring* 1000 *lbs. of Powder; and Receipt therefor by Archibald Campbell of Kilmun.— 6th and 22d December* 1643.

Traist Freind,

You ar desyred by the publick for whom you keep some ammunition ther to delyver to Archibald Campbell of Kilmund the bearer hearof one thousand weight of poulder for the use of my men that are going out in the expedition against Allaster M^{c}Donald and his complices. This I entreat you faill not to doe with all diligence as you would oblidge me to continowe

Your loving freind to power,

Argyll.

Edinburgh, the 6 December 1643.

Receaveit be me Archibald Campbell of Kilmowne tene barrallis of powder weiing in haill (ane thousand saxtie twa punds) from the

magistrats of the brughe of Irveine conforme to letter above wryttin and according to ane ordour sent heirwith of the deat the twentie nynt of November fourtie thrie under the hand of the clark of the secreit counsell and this I testifie to be of treuth by this my not wryttine and subscryvit with my awne hand at Irveine the twentie twa of December ane thousand sax hundereth fourtie thrie. Ar$^{d.}$ C. of Kilmound.

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60. *Order by Committee of Estates to the Provost and Bailies of Ayr and Irvine to supply Powder to the Forces under Argyll.—30th July* 1644. (Signed by the Lord Chancellor.[1])

30 July 1644.

The Committie of Estates ordanis and commande the Provest and baillies of Air and Irvyn to deliver furthwith upon the sight heirof twa thousand weight of powlder out of the magasin thair to Johne Campbell to be caried for the use of those forces presentlie employed under the Marques of Argyle.

Loudoun Cancell.

I. P. D. Com.

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61. *Letter from the Marquis of Argyll to the Provost and Bailies of Irvine, requesting* 2000 *lbs. of Powder for the Public Service; and Receipt therefor by John Campbell.—9th and 19th August* 1644.

Loveing Frendeis: I have sent the bearer with this warrand frome the committie of Estatis to receave that twa thousand weight of powder appointed for the use of thes forces employed under my command in the publict service and therfoire thes ar moist ernestlie desyreing you to caus delyver the samen to him to the effect it may be haisted to me with all expeditioune possible ffor I stand in neid of it And receave this other

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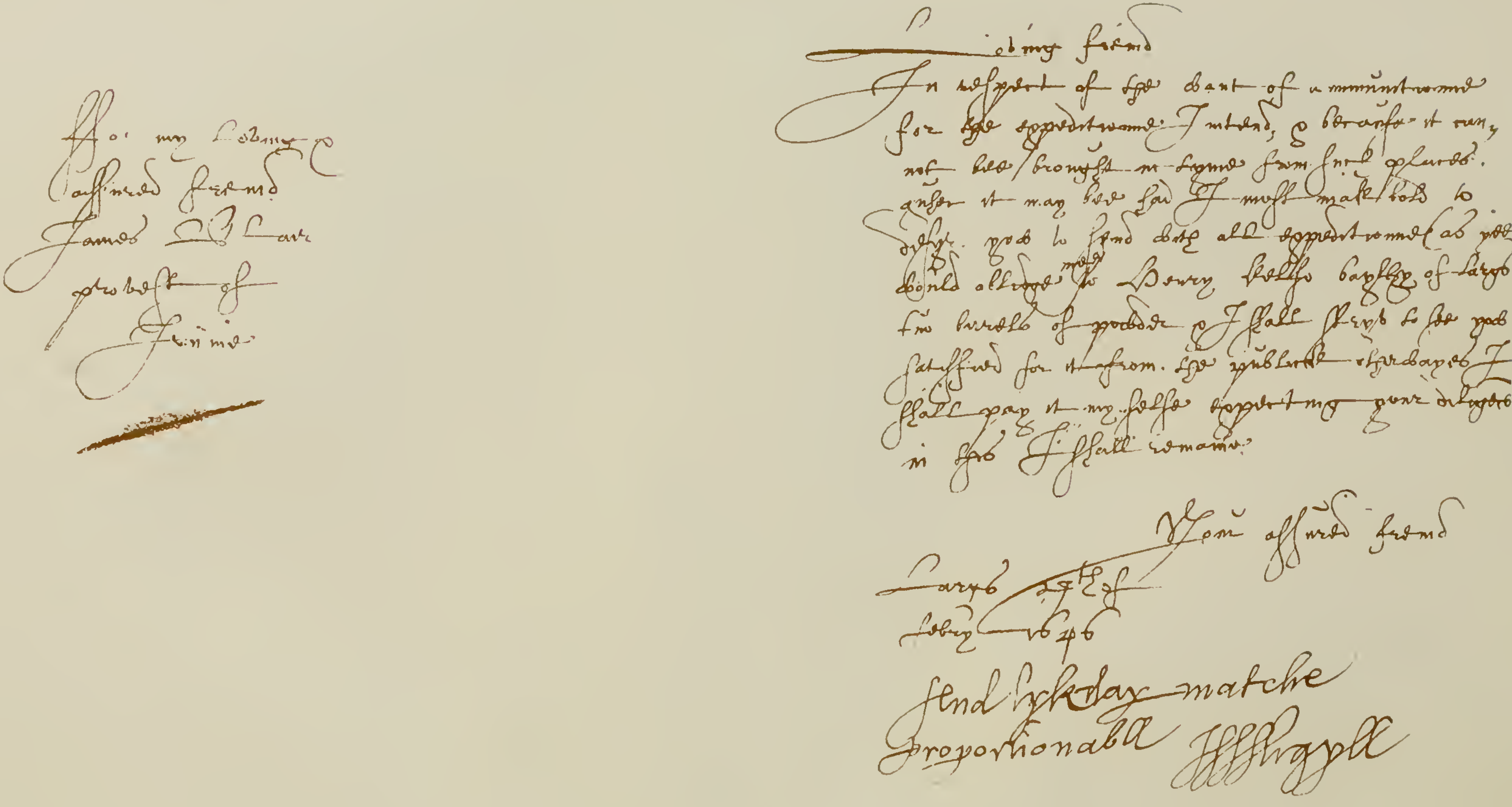
[1] "Loudoun Cancellarius." Sir John Campbell was created Earl of Loudoun by Charles I. in 1633, and made Lord Chancellor in 1642.



For my loving &
assured friend
James Blair
provest of
Irvine

Loving friend
In respect of the want of ammunitioune
for the expeditioune intended, & because it can
not bee brought in tyme from [illegible].
whatever it may bee for I must make bold to
desyre you to send with all expeditioune (as you
would oblige me) to Henry Kelso baillie of Largs
two barrells of powder & I shall strive to see you
satisfied for them. The publicke chardges I
shall pay it my selfe expecting your diligence
in this I shall remaine

Your assured friend

Largs 27th of
febry 1646

Send lykwayes matche
proportionable
Argyll

LETTER FROM THE MARQUIS OF ARGYLL TO THE PROVOST OF IRVINE, 27TH FEBRUARY, 1646.

warrand for gaitting of the samen bak againe out of the publict magasyne So expecteing your care in the delyverie and spedie dispatche of the powder as ye respect the good of the publict service and wald obleidge me quho am your maist affectionate freind. ARGYLL.

Ardnamurchane, 9 August 1644.

[*Addressed.*]

For my loveing freindis the proveistes and balleis of the
burrowes of Air and Irvine.

Resaved be me Johne Campbell servitour to the Marquis of Argyll twentie barrelles of pouther conteineing 2000 weght from the bealyies of the brughe of Irving conformed to the desyre of the above wrytine letter as wittnes my hand this day 19 August 1644.

JOHNE CAMPBELL.

62. *Letter from the Marquis of Argyll to the Provost of Irvine, requesting two barrells of Powder.—27th February* 1646.

LOVING FREIND,

In respect of the want of ammunitioune for the Expeditioune I intend, and because it cannot bee brought in tyme from such places quher it may bee had I most mak bold to desyr you to send with all expeditioune (as yee would oblidge mee) to Henry Kelso baylly of Largs two barrels of powder and I shall stryv to see you satisfied for it from the publick otherwayes I shall pay it myselfe Expecting your diligence in this I shall remane

Your assured freind,

ARGYLL.

Largs 27th of February 1646.

Send lykday matche proportionabll.

[*Addressed.*]

For my loving and assured freind James Blair,
provest of Irvine.

63. *Acts by the Committee of Accounts and Moneys, for the payment of Sir John Smyth of Grottall the sums due to him for supplying Victuals and Arms to the Troops.*—1650-1651. [*Copies.*]

Att Perth the fyft day of Februar j^{m} vj^{c} ffyftie ane yeirs.

The Committie of accomptis and moneyis haveing sein and considderit ane Act and precept of the committie for the provisione of the armie daitit the tent day of August last ordaining Johne Denholme Commissarie for the armie for the time to give assignment upon the mantenance of the Schyrs and Burghes specifeit in the said Act, viz. The Schyres of Lanark Aire and Ranfrew and Burghes thairoff To and in favouris of Sir Johne Smyth of Grottall Knicht now general Commissar for payment to the said Sir Johne of twelff thousand pund Scotis as for the price of 1200 bolles of oats and oat maill for the use of the armie at ten pund the boll And further ordaineing the said Johne Denholme to give assignement to the said Sir Johne Smyth upon the said mantenance for payment to the said Sir Johne of the prices of sevin hundreth ffourscoire threttine stand of armes furneist be the said Sir Johne to the armie The price of which armes is be the said Act declaired to be 20 merks for ilk stand of armes as the said Act proports And in respect that the said Sir Johne Smyth as yet lyes furth of the payment of the forsaids prices of the said victuall and armes in respect the said former act and precept grantit to him for payment thairoff is becume ineffectuall be reasone of the troubles of the Kingdome And it being just and reasonable that the said Sir Johne be thankfullie satisfiet of the samyne as being furneist be him in a tyme so necessarie and seasoneable for the publict use Thairfore the said Committie of accomptis and moneyis undersubscryveand ordanis the said Sir Johne Smyth to be payit of the said twelff thousand punds Scotis as the price of the saids 1200 bollis oats at ten pund the boll and of the saids sevin hundreth ffourscoire threttine stand of armes at 20 merks the stand conforme to his said former precept and allowes and grants warrand to the said Sir Johne Smyth to pay himself of the saids soumes out of the first end of the mantenance of the Kingdome for August and September last not already assigned be precepts and failzieing thairoff out of any other publict dewis and ordains the saidis haill soumes to beare annual rent till the some be payit.

Sic subscribitur.

F. Belsches
Ja : Sword
George Gardin
S^{R} J. Wauchop
W. Scott
Ro : Hepburne

Ard. Blair
A. Hepburne
Ja : Murray
J. Wiggly
J. Couper
J. Bower.

This is the trew copie of the originall Actes which were in my custodie to be made furthcomeing to the Magistrates of Irevine upon demand. Subscryveit att Edinburgh the fyft day of February j^{m} vj^{c} threescore one yearis befor thir witnessis Hugh Makculloch wryter in Edinburgh and James Simsone servitour to Sir John Smyth. S. J. Smyth.

Hugh Makculloch, *witnes.*

James Symsone, *witnes.*

fforsameikill as Sir Johne Smyth of Grottall Knicht hes furnisched for the use of the armie at Leith certane great quantities of meill and oatts amounting to twelff thousand punds Scotis As also their is dew to him neir sexteine thousand merks for certane other furneisching to the armie as by ane warrand sall appeir quhilk is directit to me by the Rycht Honourable the Committie of Provisiones ordering me to give the said Sir Johne precept upon some Schyres for payment of the same, in obedience to the quhilkis ordour thaise are to desyre you eftir sicht heiroff to caus pay to the said Sir Johne or his ordour the mantenance dew by your Schyre both for burghe and landwart and that for the twa monethes of August instant and September nixt to cum Quhilk twa monethes are only appoynted by the Parliament for paying of the provisiones of the armie receaved then at Leith tak receipt for what ye sall pay for quhilk with this salbe your sufficient warrand. Edinburgh 15th August 1650.

Sic subscribitur. Jo : Denhame.

ffor the Rycht Honourable the Lords and others
of the Committie of Warr of the Schyre of Aire, thais.

This is the just and treu copie of the originall precept above writtine which are in my custodie to be made furthcomeing to the Magistrates of Irvine upon demand. Subscryveit at Edinburgh the fyft day of February j^m vj^c threescore one yearis befor thir witnessis Hugh Makculloch wryter in Edinburgh and James Simsone servitor to Sir John Smyth. J. SMYTH.

Hugh Makculloch, *witnes.*
James Symsone, *witnes.*

Nota.—The Provest is to returne ane Act of their Towne Counsell subscryveit be their Clerk declareing that notwithstanding of his discharge yit the towne hes payed no more bot tuo hundreth pound with a proviso in ther Act that the said Act sall militat nothing to the prejudice of the towne in any tyme heirefter.

64. *An Ordinance for Distribution of the Elections in Scotland.—27th June* 1654.[1]

FOR the Broughs of Lannerike, Glasquo, Rutherglen, Rothsay, Renfrew, Aire, Irvinn, and Dunbarton, one, and the place of meeting for the Election of such person shall be at Glasquo.

65. *Summons against the Burghs of Ayr and Irvine for Arrears of Maintenance Money, due for August and September* 1650.—*31st March* 1659.

RICHARD Lord Protector of the Commonwealth of England Scotland and Ireland and dominions therto belonging To our messingeris and shereffes in that pairt conjunctlie and severallie constitut greiteing fforsameikle as it is humbly meanit and schawen to us be Sir Johne Smythe of Grottall Knycht That whair the Committie for provisione of the late Scottish armie by ther warrand direct to Johne Dennhome ther general Commissar of the Scottes armie haveing ordained the said Johne Dennholm to give precept to the said complinere ffor answereing and paying to him the soume of twelve thousand pounds Scottes money for certain quantities of meall and oattes and also for sextein thousand merkes money foirsaid for certaine other furnishing furnished be him to the said armie as the said warrand daited the tenth day of Agust j^m vj^c fiftie yeirs at mair length beirs In obedience to the which warrand the said Johne Dennhome did give and grant to the said complinere ane precept drawen upon the Committie of Warr of the Schire of Air both for brughe and landwart for answereing and payeing the said persewer conforme to the order the mantinance dew be the said Schyre both for brughe and landwart and that for the twa monethes of Agust and September j^{m} vj^{c} fiftie yeirs as the said precept of the daitt the ffifteinth day of Agust j^{m} vj^{c} fiftie yeirs at mair length proports Neverthelesse the proveist baillzies counsall and communitie of the brughes of Air and Irving and others lyabell in peyment of the saids twa monethes mantinance of Agust and September the said yeir j^{m} vj^{c} fiftie yeirs dew and addebted foorth of the saids twa Borrowes of Air and Irrving will on nawayes answer obey and make peyment to the complinere his factors servitors and uthers in his name of the saids twa monethes mantienance extending to the particular quantities under writtin aither of the saids brughes for ther owne pairts as is efter divydit, viz.—[The said brughe of Air of the soume of ane hundreth fiftie twa pounds Scottes money monethlie for the saids two monethes] [1] and the said brughe of Irving of the soume of ane hundreth and four scoir pounds monethlie of the saids twa monethes conforme to the said warrand and act of the Committie of Provisioune and precept above-written in all poynts without they be compellit as is alledgit Our Will is heirfore and we chairge you that ye lawfullie summond warne and chairge the saids proveist bailzies and counsall of the saids twa borrowes [of Air and] Irrving personallie or at ther dwelling places and the communities of the saids twa brughes be oppen proclamatione at the mercate croces of Air and Irrving upon twentie ane dayes warning to compeir before our Commissioners for administratione of justice to the people in Scotland att Edinburgh or quher it shall happen them to be for the tyme the day of in the hour of caus with continuatione of dayes to answer at the instance of the said compliner That is to say To hear and see the premisses to be sufficientlie proven to be of veritie And the samyen being swa verified and proven the saids persones defendars to hear and see themselves decerned be decreit of our saids Commissioners to make peyment to the saids compliners his factors servitors and uthers in his name of the saids twa monethes mantinance extending to the particular quantities under writtine aither of the saids brughes for ther awn pairts as is efter divydit, viz. [The said brughe of Air of the soume of twa hundreth fiftie twa poundis Scottes money monethlie the saids twa monethes] and the said brughe of Irving of

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[1] *Acts of the Parliament*, vol. vi. 2, p. 823.

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[1] The sentences within brackets are scored out in Original.

the soume of ane hundreth and ffour scoir pounds monethlie the saids twa monethes conforme to the said warrand and act of the Committie of Provisioune and precept above writtin in all poynts Or els to compeir and alledge a reasonable cause why the samyen should not be done With certificatioune to them giff they failzie our saids Commissioners will desern in maner foirsaid And give the saids defenders shall failzie to compeir the foirsaid dyett that then your messengers of armes passe of new and lawfullie summond warne and chairge the saids proveist baillyies and counsall of the saids brughes of Air and Irving personallie and the communities of the saids twa brughes be oppen proclamatione at the mercatte croces foirsaids upon sex dayes warning to compeir personallie before our saids Commissioners att Edinburgh or quher it shall happen them to be for the tyme the day of in the hour of caus with continuatione of dayes to hear and see all necessar probatioune received led and used in the premisses give neid beis and to give and depone ther oathes of verity upon the poynts of the saids summonds sua farr as shall not be proven be wryt With certificatioune to them giff they failzie they shall be halden as confest upon the premiss And decreit given against them in the said matter according to justice Attour that ye lawfullie summond warne and chairge
to compeir before our saids Commissioners the saids day and place in the hour of caus with continuatione of dayes to beir leel and suithfast wittnessing in sua farr as they know or shall be speired off them in the said matter under all highest paynes and charge that efter may follow as ye will answer to us thairupone The quhilk to doe we committ to you conjunctlie and severallie our full power be thir our letters delyvering them be you dewlie execut and indorsat again to the bearer Givin under our Signett att Edinburgh the last day of March 1659.

By warrand of the Commissioneris for administratione of Justice to the people in Scotland. JOHN MUIRE.

Secundo Aprilis 1659.

[*Note on Back.*]

In regard ther wer severall necessaries furnisht be the said burgh of Air to the army these tuo monethes.

66. *Order by the Lords of Privy Council to the Magistrates of Irvine, to liberate John Reid under caution.—29th September* 1670.

Att Edinburgh the twenty nynt day of September j^{m} vj^{c} and seventie yearis: Anent a petition presented be the magistratis councill and communitie of the burgh of Irving shewing that John Reid one of the burgesses of the said burgh being apprehended and imprisoned within the burgh of Irving for his alledged accession to the slaughter of the deceast Alexander Kennedy servitour to Sir Alexander Cunyngham of Robertland be vertue of a warrand from some of the councill And seing the supplicants are ready to make it appear that the said Alexander Kennedy was the only occasion of the woundis quhich he receaved and of which it is alledged he dyed And that the supplicants are ready to exhibit the said John Reid to justice when ever he shall be called Humbly therefore supplicating that order and warrand might be granted to the effect under wrytten The Lordis of his Majestie's privie councill haveing heard and considered the forsaid petition doe hereby give order and warrand to the magistratis of Irving to set the said John Reid to liberty upon sight hereof in reguard they have found caution under the payne of one thousand merks to produce the person of the said John Reid to underly the law for the said alledged cryme when ever he shall be cited. Extracted by me.

Al. Gibsone.

67. *Order by the Privy Council regarding the process for the Slaughter of Alexander Kennedy.—12th January* 1671.

Edinburgh the tuelt day of January 1671.

The Lords of his Majesties Privy Councill haveing considered ane accompt of depositions of the witnesses cited for the part of the burgh of Irving anent the slaughter of the deceast Alexander Kennedy together with a bill given in be Sir Alexander Cunyngham of Robertland master to the defunct desyring the said matter might be remitted to the Justices as only propper judges thairto, at least that warrand might be granted for citeing such witnesses as he should condescend upon to clear the maner of the said slaughter be way of presumtion before any farder procedour The saidis Lordis doe hereby grant warrand for directing of letters at the instance of the said Sir Alexander for citing of such witnesses as he will adduce for proveing of the said slaughter And lykwayes allowes the magistratis of Irving letteris for citeing any moe witnesses they will make use of either in relation to the forsaid slaughter or upon what occasion the said Sir Alexander came to the toune of Irving and what his cariage was thairin Lykas the Councill notwithstanding of any former remitt to the Justices declares they will take cognition of the matter themselves and discharges the justices to proceid thairin. Ext.

68. *Act of the Lords of Privy Council acquitting the Magistrates of Irvine of the Slaughter of Alexander Kennedy, servitor of Sir Alexander Cuninghame of Robertland.—9th February* 1671.

Att Edinburgh the nynt day of ffebruarij j^{m} vj^{c} and seventie one yeares anent our Soveraigne Lords letters raised at the instance of the magistrates councill and communitie of the burgh of Irving makeand mention That whereupon the twelt of September instant Sir Alexander Cunynghame of Robertland with some of his servants having come into the said burgh and amongst them Alexander Kennedy servitor to the said Alexander Cunynghame of Robertland weell mounted with swords and hulster pistollis and plate-sleives The said Alexander Kennedie in his passage throw the street of the said burgh did invade some Irish merchants who stood upon the street pretending they were laughing at him and drew out a pistoll threatning to shoot them whereupon the saids strangers fled to ane shope he following them on horsback to the shope doore Thereafter the said Alexander having ridden downe the street and having lighted from his horse and comeing up in great furie and the said provest being then upon the street and understanding that he intended to attack the saids strangers he called to him desyreing him to preserve and keep the peace in a civill burgh and iff any wrong was done desired him to complaine and he should have redress Whereupon he disdainfullie answered that he scorned to complaine bot he should make these persones the first compleaners So that such of the compleaners as were present did command the towne officer to secure him untill he should secure the peace Lykeas the said officer having offered to secure him he the said Alexander Kennedie drew furth his sword and perseued the said provest compleaner the officer having withdrawne to gett his halbart which he wanted for the tyme Whereupon the cry rose that the provest was persued for his lyfe Severall of the tounsmen and others present seing the same rune to long polles which were lying one the street and did rune in to the defence of the magistrat and the said Alexander Kennedie persueing the provest and the saids persones, stricking at all quarters round about him with his naked sword he received severall strocks both frome the officer after he was returned with his halbart and from the people with the saids polles upon the head and shoulders untill in the end he fell Whereupon the magistratis ffinding some others of Sir Alexander his servants come in for his rescue shooting pistollis amongst the saids persones who were defending the magistrats whereof one snaped a pistoll at the provests head Bot by providence the pistoll did not fyre and which persone was pulled from his horse and the pistoll taken from him found loden And the rest reteiring the magistrats commanded the people to reteire and did carefullie attend the said wounded person untill within ten dayes he dyed. And anent the charge given to David Kennedie of Knoknarling neirest of kin to the said deceast Alexander Kennedie and the said Sir Alexander Cunynghame his master to have compeired personally and to have heard and sein precognition and previous tryeall of the way and maner of the forsaid slaughter and the Justices discharged to proceid to the tryall of the said matter as the saids letters executiones and indorsationes thereof at length proports Whilk being called and James Blair present provest of Irving for himself and in name and behalf of the said burgh compeirand personallie and the said Sir Alexander Cunynghame compeirand also personally The Lords of his Majesties privy councill having at length heard and considered the depositiones of divers famous witneses ledd and adduced for both parties anent the slaughter of the said deceast Alexander Kennedie and the way and maner thereof Doe ffind that the magistrates of the said burgh of Irving are innocent of that slaughter and that the same could not be imputed to them and therefor doe discharge the Lords Commissioners of Justiciary to susteane any criminall persute against the saids Magistrates upon the accompt of the said slaughter Lykeas upon divers important considerationes the saids Lords doe think fitt to take to themselves the consideration and tryeall of John Reid burgess of the said burgh of Irving his accession to the said slaughter and what censure and punishment should be inflicted upon him and discharges the Lords Commissioners of Justiciarie to sustein any criminall proces against him befor them upon that accompt And recomends to the Lord Advocat to raise a lybell against the said John Reid befor the councill to the effect forsaid. Extracted by me THOMAS HAY.

Air, May 8, 1671.

The abone writtine Act of Councill being produced in ane Justice Court holdine be Alexander Lord Halcartoune and Sir John Baird of Newbyth tuo of the Comissioners off Justiciarie and being publictlie read in face off Court wes allowit and admitted be them In testimonie quhairoff thir presents ar subscryvit be me Master Thomas Gordon clerk to the west and south Circuit Courts. THO: GORDONE.

69. *Letter of Gift by King James VII. to the Burgh of Irvine, of an Impost upon Ale, Malt, and Wine.*—18*th October* 1688.

[Translation.]

Ane Coppie of the Letter of Gift in favouris of the Burgh of Irving of the Impositione upon Ale Bear and Wyne translated from the Latine into English.

JAMES be the grace of God King of Great Brittain ffrance and Ireland defendar of the faith To all good men to whom thir present Lettres shall come Greiting fforsuameikle wee considdering That our burgh of Irving is one of the Royall burghs of this our ancient Kingdome of Scotland And that the Magistrats and Inhabitants of the said burgh were alwayes firme to our Royall service and interest and wee understanding that the yearlie revenues of the communitie of the said burgh is no wayes sufficient to defray the debts and other incident charges of the said burgh and that the samen burgh is redacted to great povertie by the decay and ruine of the Bridge and Key therof and is rendered altogether unable to pay the debts therof already contracted so that it is neither able to help the merchants and tradsmen living within the said burgh nor to keep up the Church and calseys and pay other incident charges therof And Wee being also very desyreous to assist the Magistrats of the said burgh every maner of way whereby they may promote the publick good and advantage of the inhabitants thereof and may be the better able to serve us in tyme to come Therefore witt yee us To have given granted and disponed and be thir presents ffor the reasons forsaid and diverse other causses and considerationes Give grant and dispone to the Proveist Baillies and Counsell of the said Burgh of Irving in name of the Communitie thereof ane Imposition of four pennies money of this our Kingdome of Scotland upon every pynt of ale or beir browen imported or sold within the said burgh With power to the saids Magistrats either to exact the forsaid imposition upon ale or beir as is above mentioned, or the pryce of tuo merks money forsaid upon every boll of malt browen within the said burgh and Liberties therof And ffurther Wee Give grant and dispone to the proveist baillies and Counsell of the said Burgh of Irving present and to come in name of the Communitie thereof ane Imposition of ffourtie pounds money forsaid upon every Tunn of French wynes And the lyke soume of ffourtie pounds money forsaid upon every butt of Spanish wyne imported and sold within the said burgh and Liberties of the same Which Impositiones upon ales and other liquors forsaid Wee hereby declair shall be without prejudice of the ordinary excise and custumes granted to us by Act of Parliament And Lykewayes Wee will and declair that the forsaids Impositions shall continow and take effect ffor the space of nyntein years nixt and immediatlie following the feast and terme of Witsunday in this instant year of God j^m^ vj^c^ ffourscore eight years ffrom which tyme Wee ordaine the samen to beginn And be thir presents Wee grant full power to the Proveist Baillies and Counsell of the said burgh present and to come to nominat Collectors of the forsaids Impositions or to ferme the samen as they shall see fitt And if neid beis to poynd and distrenzie for the samen, and to doe all other things for the effectual ingathering thereof sicklyke and als freelie in all respects as any other royall burgh does or by the law by gifts and letters of the like nature granted by us or our illustrious brother of ever blessed memorie may doe In testimonie whereof Wee have appointed our Great Seal to be appendit hereunto att our Court att Whytehall the eighteinth day of October in the year of God j^m^ vj^c^ ffourscore eight and ffourth year of our Reigne.

Superscribed by Signature of the hand of our So/ Lo/ the King.

[*Backed thus.*]

Written to the Great Seal and registrat the sexth day of November 1688.

(*Subscryveit thus.*) PAT: MURRAY, *Dp^t.^*

Sealled att Edinburgh the sixt day of November 1688.

(*Subscryveit thus.*) J. HAY.

70. *Extract Act of Parliament in favour of the Burgh of Irvine on their Petition against the Impost on Ale and Wine, etc.*—20*th May* 1690. [Copy.]

Att Edinburgh the tuentieth day of May j^{m} vj^{c} and nyntie years: Anent the Petition presented to his Majesties High Commissioner and the Estates of Parliament by the provost baillies counsell and community of the brugh of Irving, mentioning that quhair in the years j^{m} vj^{c} and eightie-sevin and j^{m} vj^{c} and eightie-eight the provost baillies dean of gild thesaurer and toun counsell of the said burgh were illegallie imposed upon the petitioners by ane arbitrary power, and they were scarce in the Magistracy when they began to contract debts liberally And particularlie three thousand merks from John Craig merchant in Glasgow, and tuo thousand merks from John Bryce merchant citizen of Dubline, ffor quhich they gave Bands bearing annual rents and penalties obleidgeing them and their successors in office; and with the said ffyve thousand merks (as wes pretendit) they purchased a gift of a plack upon the pynt of all Ale and Bear browne vended and sold within the said burgh containing also ane imposition upon other liquors therein mentioned Wherefore the said illegall and unwarrantable gift and imposition ought to be declaired void and null ffor the reasones following, viz. *Primo,* Becaus the said gift wes illegallie and unwarrantablie imposed upon the said burgh against the freedome of the subject and Clame of Right. *Secundo,* The said gift wes procured after the report of the Prince of Orange now King his comeing to Britain wes publick, and his declaration declairing these impositions and the imposeing Magistrats upon burroughs to be breaches of their priviledge and contrair to law. *Tertio,* The Magistrats and others granters of thir Bands were not the representatives of the burgh nor elected by the common counsell or burgesses thereof, But were commissionate by the late King James, and so their Deeds and Bands can only obleidge themselves and their constituents, but not the burgh who had no interest in their election and admission to be magistrats and counsellers, and especiallie in this case where they acted *in re illicita* in borrowing money for procureing a gift or laying on ane imposition upon the inhabitants without their oun consent or ane Act of Parliament. *Quartò,* The Magistrats granters of the Bands above written, after the money wes borrowed, and before the money wes applyed, by their Act dated the tuentie-third day of October j^{m} vj^{c} and eightie-eight years ordained the money to be brought from Edinburgh by Robert Wallace baillie and Alexander Broun Dean of Gild, and to have payed the said John Craig his three thousand merks and annualrents, and applyed the remander ffor paying the burgh's most pressing debts att sight of the Toun Counsell, So that they were *in mala fide* to apply the money to any other use, much more to have applyed the samen ffor procureing the said gift, after all such gifts were looked upon as greiveances and exprest as such in the Prince's now King his declaratione Therefore humblie craveand that the said illegall and unwarrantable gift might be declaired void, and the said burgh and present magistrats, thesaurer, dean of gild, counsell and community thereof declaired free of the saids tuo Bands and soumes of money principall, annualrents and expenses therein mentioned, and that the samen might be only a debt upon the contracters, and burden and reach them and their oun privat fortunes, as in the said petition att more length is contained Which petition being upon the said day read in presence of the saids Estates, and they having considdered the samen His Majesties High Commissioner his Grace and Estates of Parliament Granted and hereby grants warrand to macers and messengers for summonding the severall persons granters of the Bands above written, or the representatives of any of them who now might be dead And the respective creditors to whom the samen wes granted, to compear before the high Court of Parliament or commity of their number to be named by them, to consider the matter above represented upon fyftein dayes nixt after the citatione, and to hear and sie the tuo Bonds above written reduced, and the forsaid Gift declaired null, as his Grace and Estates of Parliament should find just, or else to have alleadged ane reasoneable cause in the contrair With certificatione, etc.

Extracted out of the Records of Parliament by me Sic subscribitur,

J. Hay, *Cls. Reg.*

I Messinger Be vertew of the forsaid Act of Parliament in our Majesties name and authoritie summonds warns and charges you to compear befor the High Court of Parliament above written or commity of their number to be named be them to considder the matter above represented upon the day of next to come to the effect above narrated or else, etc. With certification, etc. conform to the forsaid Act of Parliament in all poynts.

71. *Petition of the Magistrates of Irvine anent the Meal Market, and Minute of Parliament thereupon.*—1693. [Copy.]

To his Grace their Majesties High Commissioner and the Honourable Estates of Parliament

The Petition of the Magistrates and Common Councill of the Burgh of Irvine

Humblie Sheweth

That the ordinary sheltering place of the Victuall Mercat of the said burgh of Irvine whear meall corne bear and other graines used to be sett down upon the weeklie mercat dayes for sale is now changed and altered so that the meall corne and other graines brought to the said town for sale are now exposed to raine wind and weather whereby the victuall is greatly damnified and the people about discouraged from bringeing in thereof to the saids weeklie mercates to the prejudice of the towne and leidges living thereabouts, for redressing whereof the councill and communitie of the said burgh doe designe to build and erect ane mercat house for sheltering of the said victuall upon the mercat dayes and secureing the graines to be brought into the said mercat that shall not at first be bought of, from one mercat daye to one other, provideing allwayes that those who bring in victuall to the said mercat house should pay for each seck of graine (beside eight pennies which is the pettie custom thereof alreadie due to the said town) fourtie pennies farder, makeing in haill four shillings Scotts for each seck of victuall to be sheltered in the said mercat house, and which imposition many of the meall makers and other victuall merchants repaireing to the said weekly mercat are willing to pay to the said towne for their encouragement to build the said mercat house for sheltering of their victuall as said is if the same wer authorized by law as their petition heerwith produced doeth testifie.

May it therefor pleas your Grace and the Honourable Estates of Parliament for the said townes encouradgement in building and upholding of the said weekly mercat house to impose fourtie pennies over and above eight pennies already payable for pettie dues makeing in the haill four shillings Scots upon every seck of meall corne bear pease beans and other graines that shall be brought to the said weekly mercats to be paid to the magistrates and towne councill of the said burgh for the use and behoove of the same in all time comeing as a pairt of their common good Commencing the said imposition how soon the said mercat house shall be built so as it can shelter the victuall in manner foresaid As also that your Grace and Estates of Parliament would be pleased to change the two yearly Faires of the said towne from the 20 of September and 23 of October upon which they were hitherto keipt to the last Tuesday of October and the first Tuesday of January in all time heirafter And your petitioners shall ever pray. ALEX^R CUNINGHAME.

Edinburgh fifteenth Junij 1693.

Their Majesties High Commissioner and the Estates of Parliament having considered the within petition given in by the magistrates and common councill of the Burgh of Irvine with ane other petition given in to the said councill by the meal makers resorting to the weekly mercat days of the said burgh they grant the desire of the within petition.

TWEEDDALE CANCEL. *I: P: D: Parl.*

72. *Grant by the King and Parliament to the Burgh of Irvine, of an Impost for repair of the Harbour and Bridge.*—12*th July* 1695.

AT Edinburgh the twelth day of July one thousand six hundered nyntie five years our Soveraigne Lord considering that the Harbour of the Toune of Irving is ruined and lyes in rubish and that therby the trade of the forsaid toun is quyte decayed and the inhabitants therof so impoverished that they cannot repair the said Harbour to the great prejudice of all the adjacent countrey As lykewayes that the Bridge over the Water of Irving is much decayed and if it be not repaired it will suddenly fall and ruine And also considering that in the late Government the magistrats who wer illegally imposed upon the burgh did contract considerable debts wherof ane assigned to the Hospitall of Glasgow and another due to John Bryce for both which debts ther is a proces presently depending befor the Parliament Therefore his Majesty with advice and consent of the Estates of Parliament for enabling of the said burgh to repair ther said Harbour and

Bridge and to pay and satisfie the forsaids debts for which the burgh is like to be distresed and other debts to which they are lyable doth heirby Grant to the said burgh of Irving and the community therof ane Imposition of ane Marke upon each boll of Malt to be grinded at the Milnes of the said Toun and that for the space of ten years commenceing from the date of this Act The which Imposition is to be manadged by two persons chosen by the toun councill and one to be chosen by the other inhabitants yearlie who are to uplift and imploy the same for the uses forsaid And if need be's to use dilligence therfor at the sight of the magistrats and toun counsill And the saids magistrats councill and managers are yearly to hold compt for what they shall intromett with be vertue of this present Act to my Lord Montgomery Master Francis Montgomery of Giffin the Lairds of Rowallan Kilbirnie and Kelburn or the major pairt of them being on life And in case they shall find the same to be mismanaged and otherwayes imployed then for the uses forsaid the saids overseers or major parte of them are heirby impowred to choise other Manadgers for rendering the disigne of this Imposition effectuall And notwithstanding that the forsaid Imposition is granted for the space of ten years yet it is heirby Declaired that if within the forsaid tyme the Harbour and Bridge shall be repaired and the debts of the said toun payed that then and in that case this Imposition shall terminat and the inhabitants shall be no longer lyable in payment of the same

Extracted furth of the Records of Parliament by us George Viscount of Tarbat, etc., Clerk to his Majestys Counsills Registers and Rolls.

TARBAT, *Clerk Register.*

73. *Assessments imposed on the Burgh of Irvine, from* 1645 *to* 1696.[1]

THE burgh to entertain for sex months twenty-three soldiers at £207 monthly:—1645, vi. i. 352 b.

To pay £207 monthly for 8 months:—1646, vii. i. 540 b.

To pay £252 monthly for 9 months:—1647, vi. i. 701 b.

To pay £252 monthly for 5 months:—1648, vi. ii. 60 a.

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[1] General Index to the *Acts of the Parliament*, vol. xii. p. 682.

To pay 252 merks for February:—1649, vol. vi. ii. 156 b.

£302, 8s. for 3 months:—1649, vi. ii. 238.

To pay £252 for July:—529 a. (1649, vi. ii.)

To pay £180 monthly for 3 months:—530 a. (1649, vi. ii.)

To pay £15 monthly for 6 months of a monthly tax of £10,000:—1655, vi. ii. 837 a.

To pay £8, 6s. 6d. monthly for three months of a monthly tax of £5000:—1657, vi. ii. 849 a.

To pay £9, 19s. 8d. monthly for three years of a monthly tax of £6000:—1657, vi. ii. 861 b.

To pay £19, 19s. 4d. monthly for six months of a monthly tax of £12,000:—vi. ii. 879 b. (1659).

To pay £130 monthly for a year of a monthly supply of £72,000:—1667, vii. 541 b.

To pay 18s. of every £100 imposed on the burghs:—1670, viii. 23 a.

To pay £108 monthly for 5 months in the year for 5 years of a tax of £1,800,000:—1678, viii. 222 b.

To pay £108 Scots monthly for 28 months of a supply of £2,019,733, 6s. 8d.—1690, ix. 136 a.

To pay £60 monthly for 6 months of a supply of £432,000:—1695, ix. 373 a.

To pay £60 monthly for 18 months of a supply of £1,296,000:—1696, x. 27 b.

74. *Resignation* ad remanentiam *by Mr. Alexander Cuningham and others, in favour of the Magistrates of Irvine, of the piece of Ground called the Chappell, etc.—11th March* 1761.

In the name of God, Amen.—Be it known to all men by this present instrument that upon the eleventh day of March Seventeen hundred and sixty-one and in the first year of the reign of our Sovereign Lord George the Third by the Grace of God King of Great Britain, France, and

Ireland, Defender of the Faith, In presence of me notary publick common clerk of the Burgh of Irvine and witnesses subscriving and in presence of James Alison one of the present baillies of the said burgh presiding magistrate for the time and of the other councellers assembled and sitting in common councill within the councill house thereof Compeared James McKerrell one of the ordinary officers of the said burgh and as procurator for and in name of Mr. Alexander Fergusson minister of the gospell at Kilwinning and John Glasgow merchant late provost of Irvine for themselves and as taking burden on them for Loudoun Cuninghame only lawfull son of the deceast James Cuninghame of Collellan procreat betwixt him and the deceast Susanna Cuninghame his spouse who was one of the two lawfull daughters and heirs portioners of the deceast Mr. William Cuninghame surgeon late provost of Irvine, and as procurator for and in name of Grizell Cuninghame the other lawfull daughter and heir portioner of the said deceast Mr. William Cuninghame, specialy constituted by the Procuratory of Resignation contained in a disposition dated the fifteenth day of February seventeen hundred and fifty-three granted by them to and in favours of Edward Ker merchant and late baillie of Irvine his heirs successors and assigneys whatsoever to which William Allan merchant in Irvine had right from him and Jean Monro his spouse by disposition dated the sixth day of December seventeen hundred and fifty-four, and to which Alexander Earl of Eglintoun present lord provost, the said James Alison, and John McFie baillies, John Reid dean of gild, Arthur Grahame, treasurer, and remanent members of the councill of the said burgh of Irvine and their successors in office for the behoof of the community of the said burgh superiors thereof have right *ad perpetuam remanentiam* by disposition from the said William Allan dated the twenty-second day of December last, and in virtue of the said procuratory of resignation and conveyances thereof *ad remanentiam* the said procurator with all due reverence and humility as becomes, purely and simply, by staff and baston as use is, resigned renunced surrendered upgave overgave and delivered all and haill the peice of ground called the Chappell sometime possessed by the said Edward Ker, with the bleeching or washing house built and the well and other improvements and conveniencys made by the said William Allan thereon, with free ish and entry thereto and therefrom and pertinents of the same lying within the territory of the burgh of Irvine near to the south nook of the churchyeard of Irvine bounded by part of the minister's gleib sometime possessed by James Kennedy weaver and part of the church-yeard dike on the north-west, the road from the townhead of Irvine to the Water of Irvine and Chappell well on the south-east, the peice of ground fewed to Thomas Davidson postmaster on the north-east, and the Water of Irvine on the south-west parts, Together with all manner of right title and interest which the saids Mr. Alexander Fergusson, John Glasgow, Loudoun, and Grizell Cuninghames, and the other creditors of the said Mr. William Cuninghame had have or may any ways pretend to the same or any part thereof or maills and duties of the same bygone and in time coming in the hands of the said James Alison baillie as their immediate lawfull superior of the same in favours of the said lord provost, baillies, dean of gild, treasurer, and remanent members of the Councill of the said Burgh of Irvine and their successors in office for the behooff of the community thereof To the end that the right and property of the same may return to the body and community of the said burgh *ad perpetuam remanentiam* and be consolidated and remain with the right of superiority of the same standing in the persons of the said magistrates and town councill and be peaceably enjoyed and possessed by them forever Which resignation was so duely and lawfully made by the said James Alison baillie his accepting thereof and receiving the symbols into his hands to the end and effect particularly above mentioned, and thereupon he asked and required instruments under the hand of me notary publick subscriving. These things were so acted and done upon the day of the month and in the year of God and King's reign above mentioned before and in presence of Andrew Hod and Matthew Mackie both officers and Thomas Clark drummer of the said burgh, witnesses specialy called and required to the premises.

Et ego vero Alexander Nisbet communis scriba Burgi de Irvine, clericus Glasguensis dioceseos et notarius publicus auctoritate regali ac per dominos consilij et sessionis secundum tenorem acti parliamenti rite admissus, Quia premissis omnibus et singulis dum sic ut premittitur dicerentur agerentur et fierent, una cum prenominatis testibus presens personaliter interfui, Eaque omnia et singula premissa sic fieri vidi scivi, et audivi, ac in notam cepi Ideoque hoc presens publicum instrumentum manu mea fideliter scriptum ex inde confeci et in hanc publici instrumenti formam redegi signoque nomine et cognomine meis solitis et consuetis signavi et subscripsi in fidem

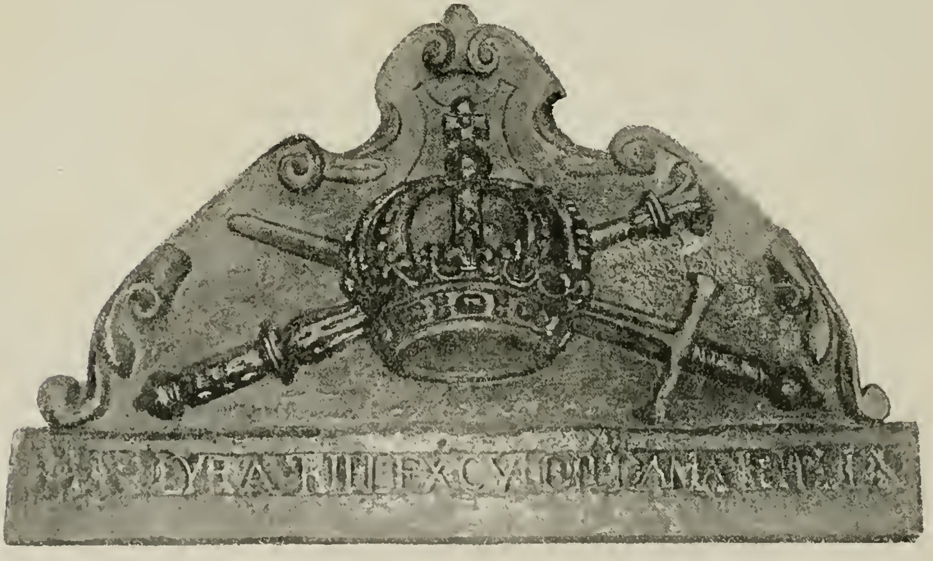
robur et testimonium veritatis omnium et singulorum premissorum rogatus et requisitus.

Fides Præstantior Auro

ALEX: NISBET *N: P.*

Andrew Hod, *witness.*
Mathew Mackie, *witnes.*
Thomas Clark, *witness.*

At the Burgh of Irvine the eleventh day of March seventeen hundred and sixty-one years the within written instrument of resignation *ad remanentiam* was presented and registrate in the 54th and 55th leaves of the Register of Seasines, Reversions, etc., kept within the said burgh by me, ALEXR. NISBET.



II.—CHURCH GRANTS.

1. *Grant by Thomas Baxter of an Annualrent of Thirty-seven shillings and ten pence for the support of a Chaplain in the Parish Church of Irvine.—29th February* 1323-4.

Omnibus hoc scriptum visuris vel audituris Thomas dictus Baxter burgensis de Irwyn salutem in Domino sempiternam Noveritis me a me et heredibus meis pro salute anime mee et anime Ede sponse mee et pro salute animarum predecessorum ac successorum nostrorum et animarum omnium fidelium defunctorum concessisse dedisse et presenti scripto meo confirmasse in puram et perpetuam elemosinam triginta et septem solidos cum decem denariis sterlingorum annui redditus annuatim ad terminos pentecostes et sancti Martini per me quamdiu vixero levandos et solvendos de terris subscriptis jacentibus in burgo de Irwyn capellano qui pro tempore fuerit in subsidium servicii sui celebraturo divina in perpetuum in parochiali ecclesia de Irwyn pro animabus supradictis videlicet octo solidos de terra jacente inter terram Willelmi Moyses ex parti occidentali et terram Willelmi filii Henrici filii vicarii ex parte orientali et tres solidos cum sex denariis de terra jacente inter terram Isabelle filie Rogeri filii Fergusii ex parte orientali et terram Jacobi Fraunces senioris ex parte occidentali et duos solidos et sex denarios de terra jacente inter terram Jacobi del Crag filii et heredis quondam Johannis del Crag ex parte australi et terram Martini filii Walteri Coci ex parte boreali Et duodecim denarios de terra jacente inter terram dicti Martini ex parte australi et terram Willelmi filii Rogeri de Monte ex parte boreali et quinque solidos de terra jacente in vico ecclesie inter terram Johannis filii Thome filii Martini ex parte occidentali et terram assignatam per Reginaldum Urry servicio beate Virginis ex parte orientali et duos solidos et sex denarios de duabus terris quas Adam Sniffine et Johannes filius prepositi tenent super Mont Mosard et duos solidos de terra jacente in vico[1] Ricardi filii Gerardi ex parte australi et terram Giliane Brand ex parte borcali et tres decim solidos in vico Fori inter terram Willelmi del Stodegarth ex parte orientali et Johannis insuper et fideliter concedo pro me et heredibus meis quod dictus Willelmus de Stodegarth cessum annuatim levet ad dictos terminos cum consilio et auxilio prepositorum et communitatis burgi capellani annuatim persolvet et quod prepositi dicti burgi qui pro tempore fuerint annuatim levent dictum pe ad dictos cessum ipsius et ipsam pecuniam annuatim persolvant dicto capellano per consilium et auxilium dicte com[munitatis] ad terminos supradictos In cuius rei testimonium sigillum meum presenti scripto apposui et quia sigillum meum minus notum est sigillum patris domini Ade Die gracia abbatis de Kylwynyn una cum sigillo communi dicti burgi presenti scripto apponi procuravi ad evidenciam majorem. Datum apud Irwyn die Jovis proximo post festum beati Mathie apostoli anno gracie m°. ccc°. vicesimo tercio.

Translation

To all who shall see or hear this writing, Thomas called Baxter, burgess of Irvine, wisheth everlasting salvation in the Lord: wit ye me to have granted, given, and by this my present writing confirmed, from me and my heirs, in pure and perpetual alms, for the weal of my soul and of the soul of Eda my wife, and for the weal of the souls of our predecessors and successors, and of all the faithful dead, thirty and seven shillings with ten pennies of sterlings of annualrent, to be uplifted from the lands underwritten lying in the burgh of Irvine, and paid yearly by me as long as I shall live, at the terms of Whitsunday and Martinmas, to the chaplain for the time being, in aid of his service, to celebrate divine service perpetually in the parish church of Irvine for the souls above written: That is to say, eight shillings from the land lying between the land of William Moyses on the west, and the land of William son of Henry son of the vicar, on the east; and three shillings with six pennies from the land lying between the land of Isabella daughter of Roger son of Fergus on the east, and the land

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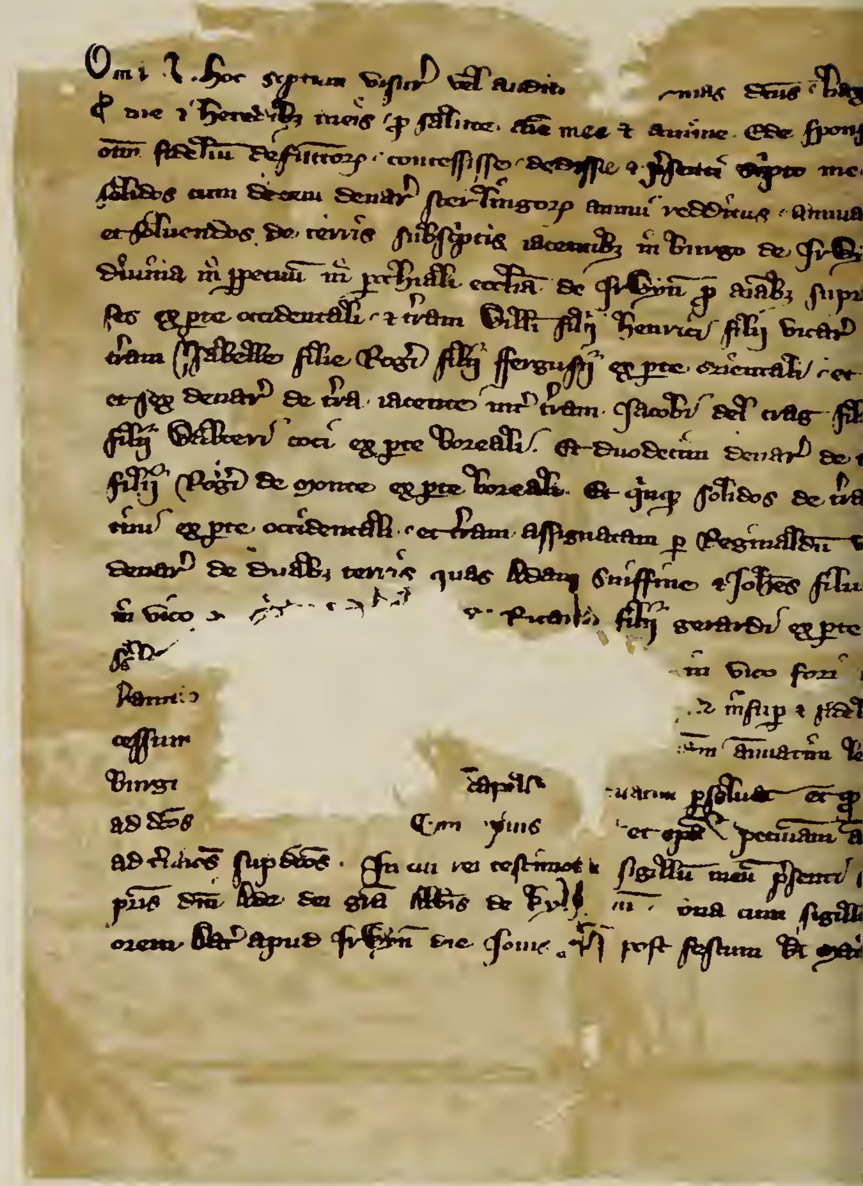
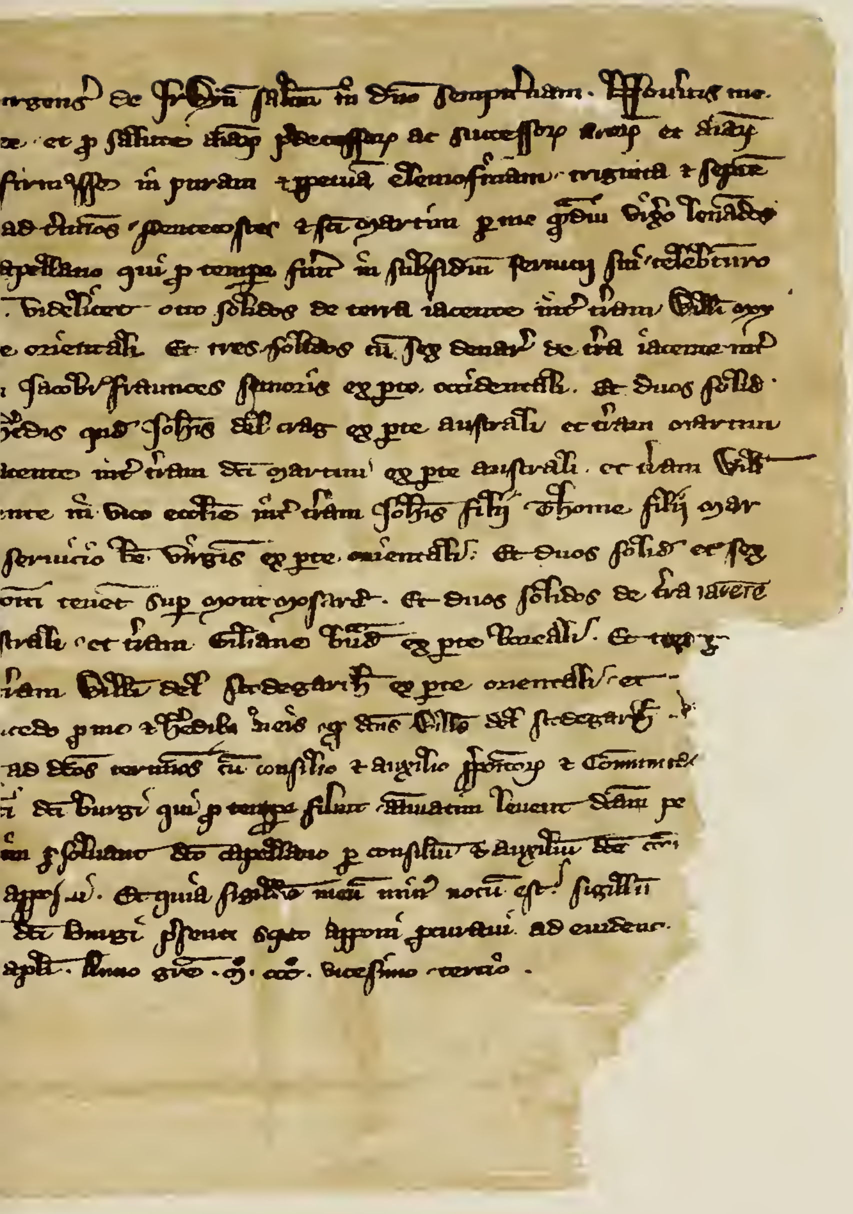
[1] This and the following blanks represent parts of the original which are torn out.



GRANT BY THOMAS BAXTER FOR SUPPORT OF

AYR & GAL



HAPLAIN IN THE CHURCH OF IRVINE, 29TH FEB. 1323-4.

of James Frances elder, on the west; and two shillings and six pennies from the land lying between the land of James of the Crag, son and heir of the deceased John of the Crag, on the south, and the land of Martin son of Walter the cook on the north; and twelve pennies from the land lying between the land of the said Martin on the south and the land of William son of Roger of the Mount on the north; and five shillings from the land lying in the Kirkgate, between the land of John son of Thomas son of Martin on the west, and the land assigned by Reginald Urry to the service of the blessed Virgin on the east; and two shillings and six pennies from two lands which Adam Sniffine and John son of the provost hold upon the Hill Mosard; and two shillings from the land lying in the gate between the land of Richard son of Gerard on the south, and the land of Gilian Brand on the north; and thirteen shillings from the land lying in the Marketgate between the land of William of the Stodegarth on the east and of John [the remainder of the original is so mutilated as to be untranslatable, except that it seems to be provided that the said William of Stodegarth is empowered to uplift the money, and with the advice and help of the provost and community of Irvine to pay it to the chaplain]. In witness whereof I have set my seal to this present writ; and because my seal is less known, I have procured the seal of a reverend father Sir Adam, by the grace of God Abbot of Kilwinning, together with the common seal of the said burgh, to be set to this present writ for the greater evidence. Given at Irvine on the Thursday next after the feast of St. Mathias the Apostle, in the year of grace one thousand three hundred and twenty-three.

2. *Charter by Mr. William of Cuninghame, Vicar of Dundonald, of various lands and rents for support of two Chaplains in the Parish Church of Irvine.—1st March* 1418-19.

Omnibus hanc cartam visuris vel audituris magister Willelmus de Conynghame perpetuus vicarius ecclesie de Dundonald salutem in Domino sempiternam Noverit universitas vestra me ad honorem et laudem Dei omnipotentis et gloriose matris sue beate Marie semper virginis et beate Katerine et Sancti Niniani et omnium Sanctorum ac caritatis intuitu dedisse concessisse et hac presenti carta mea pro me et heredibus meis imperpetuum confirmasse pro salute anime mee et animarum quondam domini Willelmi de Conynghame domini de Kilmawris militis patris mei et Agnetis matris

mee et pro salute animarum omnium antecessorum et successorum meorum et omnium fidelium defunctorum Deo et altaribus beate Katerine et sancti Niniani situatis vel situandis in ecclesia perochiali burgi de Irwyne ad sustentacionem duorum capellanorum ibidem divina servicia celebrancium et pro perpetuo celebraturorum totas et integras has terras tenementa et annuos redditus cum pertinenciis subscriptis, videlicet, totum et integrum tenementum quod vulgariter nuncupatur le Sklate Hall cum pertinenciis jacens ex australi parte dicti burgi et duas particatas terre cum pertinenciis proximo adjacentes eidem tenemento ex parte orientali ex parte una et terram Finlai de Bute ex parte occidentali ex parte altera et quinque particatas terre cum pertinenciis insimul jacentes in vico ecclesie inter terram Johannis Dicsoun de Kilmernok ex parte boreali ex parte una et terram quondam Roberti Taike ex parti australi ex parte altera et duas particatas terre cum pertinenciis jacentes inter venellam ecclesiasticam ex parte una et tenementum Walteri Brabounare ex parte altera et tres solidos annui redditus annuatim levandos et percipiendos de dicto tenemento dicti Walteri Brabounare et octodecim denarios annuatim debitos et exeuntes de tenemento Nicholai de Loudoun et septem solidos annui redditus annuatim debitos et exeuntes de tenemento quondam Ricardi Boure in vico marino et quatuor solidos annui redditus annuatim debitos et exeuntes de tenemento proximo adjacenti eidem tenemento dicti quondam Ricardi Boure ex parte occidentali et tenementum quod vulgariter vocatur Lople jacens inter terram Johannis Scherer ex parte occidentali ex parte una et terram Ade Tody ex parte orientali ex parte altera et novam fabrinam constructam inter antiquam fabrinam et communem venellam et quinque solidos annui redditus debitos et exeuntes de tenemento Johannis Marschell in qua manebat et triginta denarios debitos et exeuntes de proxima tērra proximo adjacente eidem tenemento dicti Johannis Marschell ex parte orientali et sex solidos annui redditus debitos et exeuntes de tenemento Gilberti Pullay jacenti inter communem venellam ex parte orientali ex parte una et tenementum dicti Johannis Marschell ex parte occidentali ex parte altera et quinque solidos et octo denarios annui redditus debitos et exeuntes de tenemento Johannis Pill jacenti inter terram Johannis Mure juvenis ex parte occidentali ex parte una et terram sancte Marie ex parte orientali ex parte altera et triginta denarios debitos et exeuntes de tenementis Rogeri Spere que fuerunt quondam tenementa Andree Bully jacencia inter terram Willelmi Ker ex parte orientali ex parte una et tenementum Magistri Roberti de Conynghame ex parte occidentali ex parte altera Tenendas et habendas omnes et singulas predictas terras et tenementa et annuos redditus cum pertinenciis antedictis una cum omnibus aliis et singulis terris cum pertinenciis per predictum magistrum Willelmum de Conynghame acquisitis vel acquirendis infra burgum supradictum predictis altaribus et duobus capellanis post decessum predicti magistri Willelmi de Conynghame per ballivos et communitates predicti Burgi de Irwyne qui pro tempore fuerint eisdem altaribus presentandis ibidem divina servicia celebrantibus et pro perpetuo celebraturis in puram et perpetuam elemosinam imperpetuum adeo libere et quiete plenarie integre et honorifice bene et in pace in omnibus et per omnia sicut alique terre tenementa vel annui redditus cum pertinenciis aliquibus altaribus seu locis sacris infra regnum Scocie per quoscunque liberius conceduntur seu donantur vel dari possunt aut concedi. In cujus rei testimonium presenti carte mee sigillum meum apposui et ad majorem hujus rei securitatem et notoriam evidenciam sigillum commune burgi predicti huic presenti carte mee cum instancia apponi procuravi apud Irwyne primo die mensis Marcii anno domini millesimo quadringentesimo decimo octavo hiis testibus Hugone Clerk Johanne Flemyng Thoma Wilsoun Johanne Williamesoun Michaeli Wilsoun Alano Clerk Adam Boyman et Roberto Boyman burgensibus dicti burgi cum multis aliis.

[Both seals are wanting.]

Translation.

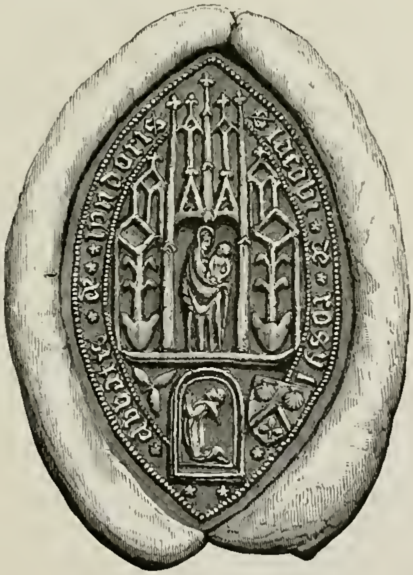
To all who shall see or hear this charter, Master William of Cuninghame, perpetual vicar of the Church of Dundonald, wisheth everlasting welfare in the Lord : Be it known to your University, that for the honour and praise of God Almighty, and of His glorious mother the blessed Mary always virgin, and of Saint Katherine and Saint Ninian, and all the saints, and in view of charity, I have given, granted, and by this my present charter for me and my heirs for ever confirmed, for the weal of my soul, and of the souls of the deceased Sir William of Cuninghame lord of Kilmaurs, Knight, my father, and of Agnes my mother, and for the weal of the souls of all my ancestors and successors and of all the faithful dead, to God and the altars of St. Katherine and St. Ninian situated or to be situated in the parish church of the burgh of Irvine, for the sustenance of two chaplains there celebrating and for ever to celebrate divine service, All and Whole these lands

tenements and annualrents, with the pertinents underwritten, namely, All and Whole the tenement which is commonly called the Sklate Hall, with pertinents lying on the south side of the said burgh; and two perches of land with the pertinents next adjacent to the said tenement on the east, on one part, and the land of Finlay of Bute on the west, on the other part; and five perches of land with pertinents lying together in the Kirkgate, between the land of John Dickson of Kilmarnock on the north, on one part, and the land of the deceased Robert Taike on the south, on the other part; and two perches of land with pertinents lying between the Kirk Vennel on the one side and the tenement of Walter Brabonar on the other side; and three shillings of annualrent to be uplifted and taken yearly from the said tenement of Walter Brabonar; and eighteen pennies yearly due and forthcoming from the tenement of Nicholas of Loudoun; and seven shillings of annualrent due and forthcoming yearly from the tenement of the late Richard Boure in the Seagate; and four shillings of annualrent yearly due and forthcoming from the tenement next adjacent to the said tenement of the deceased Richard Boure, on the west side; and the tenement which is commonly called Lople, lying between the land of John Sherer on the west, on one side, and the land of Adam Tody on the east, on the other side; and the new smithy built between the old smithy and the common vennel; and five shillings of annualrent due and forthcoming from the tenement of John Marshall in which he dwelt; and thirty pennies due and forthcoming from the next land next adjacent to the said tenement of the said John Marshall on the east; and six shillings of annualrent due and forthcoming from the tenement of Gilbert Pullay, lying between the common vennel on the east and the tenement of the said John Marshall on the west; and five shillings and eight pennies of annualrent due and forthcoming from the tenement of John Pill lying between the land of young John Mure on the west and the land of St. Mary on the east; and thirty pennies due from the tenements of Roger Spere which were sometime the tenements of Andrew Bully lying between the land of William Ker on the east and the tenement of Master Robert of Cuninghame on the west: To be holden and had all and sundry the aforesaid lands tenements and annualrents with the pertinents, together with all and sundry other lands by the said Master William of Cuninghame acquired or to be acquired within the burgh above mentioned, to the foresaid altars and two chaplains to be presented after the decease of the aforesaid Master William of Cuninghame by the bailies and community of the aforesaid burgh of Irvine, who shall be for the time, to the said altars, there celebrating and for ever to celebrate, divine service, in pure and perpetual alms for ever, as freely and quietly, fully, wholly, and honourably, well and in peace, in all and by all, as any lands, tenements or annualrents freely granted or given, or that may be given or granted by whomsoever to any altars or sacred places within the kingdom of Scotland: In testimony whereof, to this my present charter I have set my seal, and for the greater security and notour evidence of this thing I have procured with instance the common seal of the burgh aforesaid to be set to this my present charter, at Irvine the first day of the month of March in the year of the Lord one thousand four hundred and eighteen; these being witnesses, Hugh Clerk, John Fleming, Thomas Wilson, John Williamson, Michael Wilson, Alan Clerk, Adam Boyman, and Robert Boyman, burgesses of the said burgh, with many others.

3. *Charter by William of Cuninghame, Vicar of Dundonald, granting various lands and rents for support of two Chaplains in the Parish Church of Irvine.—26th July* 1426.

Omnibus hanc cartam visuris vel audituris Willelmus de Conynghame canonicus Glasguensis ac vicarius ecclesie de Dundonald salutem in Domino sempiternam. Sciatis me ob honorem Dei omnipotentis beate Marie semper virginis matris sue beate Katerine virginis et martiris et beate Niniani episcopi et confessoris ac omnium sanctorum dedisse concessisse et hac presenti carta mea imperpetuum confirmasse Deo beate Marie et sanctis supradictis pro sustentacione duorum capellanorum divina celebrancium et imperpetuum celebraturorum in ecclesia parrochiali burgi de Irwyne ad altaria beate Katerine et Sancti Niniani predictorum pro salubri statu excellentissimi principis Jacobi Dei gracia regis Scotorum illustris domine Johanne regine Scocie consortis sue et prolium suarum Et pro salute animarum antecessorum et successorum suorum Ac pro salute anime mee et animarum patris mei et matris mee et omnium antecessorum et successorum meorum ac omnium fidelium defunctorum Omnes et singulas terras meas tenementa mea et annuos redditus meos infra scriptos Videlicet quinque particatas terre simul jacentes in burgo de Irwyne inter terram Thome Wilson et terram Finlai Chepman; duas particatas terre que fuerunt quondam Johannis Marchele inter terram Patricii Fabri et terram Gilberti

Pullay; duo tenementa jacencia in communi via regia in loco qui dicitur ly Smethy Barr; unum tenementum inter terram Allani Clerk et terram quondam Willelmi Lammok; duo tenementa jacencia in vico ecclesie que fuerunt quondam Michaelis Wylsoun inter terram Thome Sadlare et communem Venellam regiam; et unum tenementum cum pertinenciis jacens in vico ecclesie predicto inter terram quondam Roberti Tayk et terram quondam Johannis Turnoure; octodecim solidos annui redditus debitos annuatim et exeuntes de illa terra que dicitur vulgariter Loplee; novemdecim solidos annui redditus de terris quondam Ade Tody; decem solidos annui redditus de terra Johannis Lokkart; quinque solidos annui redditus de terra Johannis Flemyng; decem solidos annui redditus de terra quondam Johannis Man; duos solidos annui redditus de terra quondam Alani Gibson; viginti quatuor solidos annui redditus de quatuor particatis terre simul jacentibus ex parte orientali tenementi Johannis Mure; triginta denarios annui redditus de terris quondam Willelmi de Hall; triginta denarios annui redditus de terris alias Andree Bulli ex parte orientali tenementi magistri Roberti de Conynghame fratris mei; sex solidos et octo denarios annui redditus de tenemento Alani Clerk inter terram quondam Thome Henrison et terram Johannis Spere; duodecim solidos annui redditus de tenemento quondam Gilberti Goldsmyth; tres solidos annui redditus de terra quondam Walteri Brabounare jacenti ex parte occidentali tenementi Willelmi Yhung; sex solidos annui redditus de tenemento Gilberti Pullay jacenti inter terram quondam Johannis Marschel et communem Venellam; octo solidos annui redditus de tenemento Johannis Kerd inter terram quondam Walteri Brabounare et terram Thome Baxstare; tresdecim solidos et quatuor denarios annui redditus de dicta terra Thome Baxstare inter terram Johannis Kerd et communem Venellam; viginti sex solidos annui redditus de tribus tenementis jacentibus supra ly Mount Musart inter terram Thome White et terram Johannis Davison; viginti denarios annui redditus de tenemento Thome de Knok prope ripam aque de Irwyne; octodecim denarios annui redditus de terra quondam Nicholai de Lowdon vocata ly Sclate house; septem solidos annui redditus de tenemento Patricii Galli in Vico Maris; quatuor solidos annui redditus de tenemento Johannis Robynson in eodem vico; sex solidos annui redditus de tenemento Willelmi Coupare in eodem vico; sex solidos annui redditus de tenemento Jacobi Baxstare inter terram Thome Barber et terram Willelmi Boyman; sex solidos annui redditus de tenemento quondam Johannis Turnoure; et sexdecim solidos annui redditus debitis de tenemento proximo adjacente tenemento Johannis Dikson de Kilmernok: Tenendas habendas et percipiendas predictas terras tenementa et annuos redditus cum pertinenciis dictis duobus capellanis et suis successoribus per me dum vixero et post decessum meum per ballivos et communitatem dicti burgi de Irwyne qui pro tempore fuerint presentandis seu nominandis in puram et perpetuam elemosinam cum omnibus et singulis libertatibus commoditatibus aysiamentis et justis pertinenciis quibuscunque ad dictas terras tenementa et annuos redditus spectantibus seu juste spectare valentibus quomodolibet in futurum ita libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut alique terre tenementa vel annui redditus cum pertinenciis aliquibus altaribus seu locis sacris per quemcunque seu quoscunque infra regnum Scocie conceduntur seu donantur aut dari poterunt seu concedi. In cujus rei testimonium presenti carte mee sigillum meum est appensum[1] et ad majorem rei evidenciam et securitatem sigillum venerabilis in Christo patris Jacobi permissione divina abbatis monasterii de Lundoris apponi cum instancia eidem procuravi apud dictum monasterium vicesimo sexto die mensis Julii anno gracie millesimo quadringentesimo vicesimo sexto. Hiis testibus nobilibus viris domino Johanne Forstare de Corstorfyne milite camerario Scocie Johanne Symple domino de Eliotston magistro Willelmo Scott rectore de Bygare dicti domini nostri regis capellano Thoma Kenedy Henrico de Levynston et Jacobo Story scutiferis cum multis aliis.



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[1] The granter's seal is lost.

Abstract.

Charter by William of Conynghame, canon of Glasgow and vicar of the church of Dundonald, for the support of two chaplains at the altars of St. Katherine virgin and martyr, and of St. Ninian bishop and confessor, in the parish church of the burgh of Irvine, to celebrate divine service for the prosperous estate of James King of Scots, of Johan Queen of Scotland, his consort, and their children, and for the souls of their ancestors and successors; and for the soul of the granter, his father and mother, ancestors and successors, and of all the faithful dead, granting these lands and yearly rents, namely, five perches of land lying together in the burgh of Irvine, between the land of Thomas Wilson and the land of Finlay Chapman; two perches of land which belonged to the deceased John Marshall, between the land of Patrick Smith and that of Gilbert Pullay; two tenements lying in the common highway, in the place which is called the Smithy Barr; one tenement between the land of Alan Clerk, and that of the late William Lammok; two tenements lying in the Kirkgate, which belonged to the deceased Michael Wilson, between the land of Thomas Sadlar and the common Vennel, and one tenement with pertinents, lying in the Kirkgate, between the land of the deceased Robert Tayk and the land of the deceased John Turnor; eighteen shillings of annualrent furth of the land vulgarly called Loplee; nineteen shillings of annualrent from the lands of the late Adam Tody; ten shillings yearly from the land of John Lockhart; five shillings from the land of John Flemyng; ten shillings from the land of the late John Man; two shillings from the land of the late Alan Gibson; twenty-four shillings from four perches of land lying together on the east side of the tenement of John Mure; thirty pennies from the land of the deceased William of Hall; thirty pennies from the land sometime of Andrew Bully, on the east side of the tenement of Mr. Robert of Conynghame the granter's brother; six shillings and eight pennies from the tenement of Alan Clerk, between the land of the deceased Thomas Henryson and the land of John Spere; twelve shillings from the tenement of the deceased Gilbert Goldsmyth; three shillings from the land of the deceased Walter Brabonar, lying on the west side of the tenement of William Young; six shillings from the tenement of Gilbert Pullay, lying between the land of the late John Marshall and the common Vennel; eight shillings from the tenement of John Kerd, between the land of the late

Walter Brabonar and that of Thomas Baxter; thirteen shillings and four pennies from the said land of Thomas Baxter between the land of John Kerd and the common Vennel; twenty-six shillings from three tenements lying upon Mount Musart, between the land of Thomas White and that of John Davison; twenty pennies from the tenement of Thomas of Knok near the bank of the water of Irvine; eighteen pennies from the land of the deceased Nicholas of Loudoun called the Sclate House; seven shillings from the tenement of Patrick Gallie in the Seagate; four shillings from the tenement of John Robynson in the same street; six shillings from the tenement of William of Coupar also there; six shillings from the tenement of James Baxter, between the land of Thomas Barber and the land of William Boyman; six shillings from the tenement of the deceased John Turnor; and sixteen shillings from the tenement next adjacent to that of John Dickson of Kilmarnock; to hold to the said two chaplains, for the time being, to be presented or nominated by the granter while he lived, and after his decease by the bailies and community of the burgh of Irvine, in pure and perpetual almsgift: Scaled with the seal of the granter, and also, for the greater evidence and security, with the seal of James abbot of Lundores, and dated at the abbey thereof the 26th day of July 1426: the witnesses being Sir John Forester of Corstorphin, Knight, chamberlain of Scotland, John Semple lord of Eliotstoun, Mr. William Scot, rector of Biggar, chaplain to the king, Thomas Kennedy, Henry of Livingston, and James Story, esquires, with many others.

4. *Confirmation by King James the First, of Charter by William of Cuninghame for support of two Chaplains.—28th July* 1426.

Jacobus Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem. Sciatis nos quamdam cartam discreti viri magistri Willelmi de Conynghame canonici Glasguensis ac vicarii ecclesie de Dundolnalde factam et concessam Deo beate Marie virgini matri sue beate Katherine virgini et martiri et beato Niniano confessori ac omnibus sanctis ad sustentacionem duorum capellanorum divina celebrancium et imperpetuum celebraturorum ad altaria beate Katherine et Sancti Niniani predicti in ecclesia parrochiali burgi nostri de Irwyne situata pro salubri statu nostro Johanne regine Scocie consortis nostre et prolum nostrarum et pro salute animarum antecessorum et successorum nostrorum ac pro

salute anime predicti magistri Willelmi et animarum antecessorum et successorum suorum ac omnium fidelium defunctorum de omnibus et singulis terris tenementis et annuis redditibus suis cum pertinenciis jacentibus in dicto burgo nostro de Irwyne de mandato nostro visam lectam inspectam et diligenter examinatam non rasam non abolitam non cancellatam nec in aliqua parte sui viciatam set omni prorsus vicio et suspicione carentem intellexisse plenius in hec verba: Omnibus hanc cartam (etc., as in No. 3 supra). Quamquidem cartam donacionem et concessionem in eadem contentas in omnibus punctis suis et articulis conditionibus et modis ac circumstanciis suis universis forma pariter et effectu in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus ac successoribus nostris ad manum mortuam imperpetuum confirmamus salvis nobis successoribus et burgo nostro predicto serviciis de predictis terris et tenementis cum pertinenciis debitis et consuetis: In cujus rei testimonium presenti carte nostre confirmacionis nostrum precepimus apponi sigillum: Testibus venerabili viro magistro Johanne Cameron ecclesie Glasguensis electo confirmato Johanne Forstar de Corstorfyne camerario Roberto de Lawedre justiciario et Waltero Ogilby thesaurario regni nostri militibus Jacobo de Douglas de Balwany et Jacobo de Dundas de eodem scutiferis nostris Apud Perth vicesimo octavo die mensis Julij anno gracie millesimo quadringentesimo vicesimo sexto et regni nostri vicesimo primo.

INNYRKETHYNGH.

ABSTRACT.

Confirmation by James the First, King of Scots, of the charter by William of Cuninghame for support of two Chaplains in the parish church of Irvine (as in No. 3 supra): Reserving the services due to the king and the royal burgh of Irvine from the tenements and lands therein specified: Dated at Perth 28th July 1426: Witnesses, Mr. John Cameron, elect confirmed of Glasgow, John Forester of Corstorphine, chamberlain, Robert of Lauder, justiciar, and Walter Ogilvy, Treasurer, of the kingdom, knights, James of Douglas of Balvany, and James of Dundas of that ilk, the king's esquires.

5. *Letter of Confraternity by the Prior of the Carmelites of Irvine in favour of William Greyrson and his spouse Egidia.—24th August* 1426.

Frater Alexander, humilis prior localis conventus de Irwyne et servus fratrum Ordinis Beati Dei genitricis Marie de Monte Carmeli, dilectis sibi in Cristo Willelmo Greyrson at Egidie uxori ejus ac liberis eorundem, Salutem et per oracionum suffragia regna celestia feliciter promereri: Devocionem sinceram quam ad nostrum habetis Ordinem, ob Cristi reverenciam et gloriose Virginis Marie matris ejus, cujus titulo idem Ordo noster specialiter insignitur, prout fratrum nostrorum intelleximus oraculo vive vocis, diligencius attendentes et in Domino commendantes, quo ad ea que precipue salutem continent animarum, quantum cum Deo possimus vobis vicem cupimus refundere Salutarem: Quare in omnibus matutinis, missis, oracionibus, confessionibus, predicacionibus, jejuniis, vigiliis, abstinenciis, laboribus, ceterisque bonis omnibus et beneficiis universis, que per nos et fratres nostri Ordinis dignabitur operari clemencia Salvatoris, tam in vita quam post mortem, vos participes facimus et consortes; Adicientes, nichilominus, et de speciali gracia concedentes ut, cum obituum vestrorum in conventuali nostro capitulo memoria fuerit recitata idem pro vobis fiet, quo ad universa et singula, quod pro defunctis fratribus nostri Ordinis ibidem communiter fieri consuetum est. In cujus rei testimonium sigillum nostri prioratus officii presentibus est appensum: Data in conventu nostro de Irwyne in vigilia Sancti Bartholomei Apostoli, anno Domini millesimo quadringentesimo vicesimo sexto.

Translation.

Friar Alexander, humble local prior of the convent of Irvine, and servant of the brethren of the Order of the blessed Mary mother of God, of Mount Carmel, to his beloved in Christ, William Greyrson, and Egidia his wife, and their children, wisheth health, and that by the suffrages of prayers they may happily deserve the heavenly realms. As we have understood of our brethren, the sincere devotion which you have towards our Order, on account of reverence of Christ, and of the glorious Virgin Mary his mother, by whose title our same Order is specially designated, we, earnestly attending to the oracle of the lively voice, and commending you in the Lord, do desire to render to you as much as we are able with God, a wholesome recompense

as to those things which chiefly preserve the health of souls; wherefore, in all matins, masses, prayers, confessions, preachings, fasts, vigils, abstinences, labours, and all other good things and whole benefits, which, in the clemency of the Saviour, shall be deemed worthy to be wrought by us and the brethren of our Order, as well in life as after death, we do make you partakers and consorts; adding, nevertheless, and of special favour granting, that when the memorial of your obits shall be recited in the chapter of our convent, the same shall be done for you in all and sundry respects as is commonly wont to be done there for the deceased brethren of our Order: in witness whereof, the seal of our office of Priory is appended to these presents; given in our convent of Irvine on the vigils of Saint Bartholomew the Apostle, in the year of the Lord one thousand four hundred and twenty-six. [24th August 1426.]

6. *Instrument of Sasine in a yearly rent of five merks, granted by Lady Alice Campbell of Loudounhill, for the support of a Chaplain at the Altar of St. Michael in the Parish Church of Irvine.*—16*th November* 1446.

In Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini m^{mo} $cccc^{mo}$ quadragesimo sexto mensis vero Novembris die decimo sexto pontificatus sanctissimi in Christo patris et domini domini nostri Eugenii divina providentia pape quarti anno xvj^{to} In mei notarii publici et testium subscriptorum presencia personaliter constituta nobilis domina domina Alicia Cambell domina de Lowdounhyll non vi aut metu coacta nec herrore lapsa sed sua mera et spontanea voluntate ac pro salute anime sue ad honorem omnipotentis Dei et gloriosissime Virginis Marie ac Sancti Michaelis archangeli dedit concessit et confirmavit dictis Deo beate Marie et Sancto Michaeli ac capellano qui pro tempore fuerit ad celebrandum ad altare predicti Sancti Michaelis fundatum in ecclesia parochiali de Ervyn in nova insula beate Marie perpetuis temporibus duraturis quinque marcas annui redditus annuatim levandas et percipiendas sibi domine Alicie debitas de duobus tenementis jacentibus in dicto burgo de Ervyn ex parte boreali ejusdem inter tenementum domini Johannis Merschell capellani ex parte orientali ex parte una et tenementum predicte domine Alicie ex parte occidentali ex parte altera In quarum quinque marcarum nomine dicta domina Alicia dedit

unum denarium argenti in manibus nobilis viri Alexandri de Conyngham tunc ballivi dicti burgi una cum le hesp et stapill dictorum tenementorum ad dandum saysinam et statum hereditarium dicto Sancto Michaeli cujus ymago illuc processionaliter ducebatur Qui quidem ballivus prenotatus ad instanciam dicte domine Alicie ymaginem ipsius Sancti Michaelis nomine et loco ipsius Sancti de dictis quinque marcis annui redditus predictorum duorum tenementorum olim predicte domine Alicie debitis investivit tradendo inde saysinam et statum hereditarium In signum quarum quinque marcarum possessionis tradidit predictus Alexander predictum denarium argenti dicto Sancto Michaeli: Post cujusquidem domine Alicie obitum ipsa sana et incolumis in tempore predicte saisyne sive status tradicionis constituit ballivos et communitatem dicti burgi de Ervyn dicte capellanie patronos legitimos ad eligendum et imponendum capellanum sufficientem tocies quocies contigerit vacare Salvo tamen et reservato dicto servicio capellano per ipsam electo tempore suo quam diu vixerit in humanis et aliud beneficium uberius nondum fuerit pacifice assecutus Super quibus omnibus et singulis peciit prefatus Alexander tunc ballivus dicti burgi sibi et suis successoribus predicti burgi ballivis et communitati ejusdem per me notarium publicum fieri publicum et publica instrumentum et instrumenta: Acta sunt hec super fundum dictorum duorum tenementorum burgi antedicti de Ervyn hora quasi nona ante meridiem anno mense die indictione et pontificatu quibus supra: Presentibus providis et discretis viris videlicet dominis Willelmo de Steuartoun vicario perpetuo de Kylbryde juxta mare Johanne Cambell Gilberto Heware et Roberto Kerd capellanis et domino Johanne de Farnle capellano Johanne Kerd Johanne Lokart Johanne Mur Johanne de Edynburgh Nicholao Glofar et Hugone Briane burgensibus dicti burgi cum multis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego vero Stephanus de Heslyhope presbyter Glasguensis diocesis publicus auctoritate imperiali notarius premissis omnibus et singulis dum sic ut premittitur dicerentur agerentur et fierent una cum prenominatis testibus presens interfui Eaque omnia et singula sic premissa vidi fieri et audivi ac in notam recepi Indeque presens publicum instrumentum propria manu scriptum confeci publicum et in hanc publicam formam redegi signoque et nomine meis solitis et consuetis subscribendo signavi rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

S. de Heslyhope.

TRANSLATION.

In the name of God, Amen: By this present public instrument be it evidently known to all men that in the year of our Lord one thousand four hundred and forty-six, on the sixteenth day of the month of November, the sixteenth year of the pontificate of the most holy father and lord in Christ our Lord Eugenius the Fourth, by divine providence Pope: In presence of me notary public and witnesses underwritten, personally compeared a noble dame, dame Alicia Cambell lady of Lowdounhyll, not compelled by force or fear nor fallen in error, but of her mere and spontaneous will, and for the weal of her soul, to the honour of Almighty God, and the most glorious Virgin Mary and Saint Michael the Archangel, gave granted and confirmed to the said God, Saint Mary, and Saint Michael, and to the chaplain who should be for the time, to say mass at the altar of the foresaid Saint Michael, founded in the parish church of Irvine, in the new aisle of Saint Mary, during all time to come, five merks of annualrent, due to the said Dame Alicia, to be uplifted and taken forth of two tenements lying in the said burgh of Irvine, on the north side of the same, between the tenement of Sir John Merschell, chaplain, on the east side, on the one part, and the tenement of the foresaid Dame Alicia on the west side, on the other part: In name of which five merks the said Dame Alicia gave one penny of silver in the hands of a noble man Alexander of Conyngham, then bailie of the said burgh, together with the hesp and staple of the said tenements for giving sasine and heritable state to the said Saint Michael, whose image was then being led in procession: Which bailie before-noted at the instance of the said Dame Alicia invested the image of the said Saint Michael, in name and stead of the said Saint, with the said five merks of annualrent of the foresaid two tenements, formerly due to the foresaid Dame Alicia, by delivering thereof sasine and heritable state: In token of possession of which five merks the foresaid Alexander delivered the foresaid penny of silver to the said Saint Michael: After the death of the which Dame Alicia, she being sound and well at the time of the delivery of the foresaid sasine or state, she constituted the bailies and community of the said burgh of Irvine lawful patrons of the said chaplainry for choosing and inputting of a sufficient chaplain as often as it should happen to become vacant: Saving nevertheless and reserving the said service to the chaplain elected by her for his time, as long as he should live among men, and should not have peacefully obtained another richer benefice : Upon which all and sundry, the foresaid Alexander then bailie of the said burgh craved a public instrument and public instruments to be made to him and his successors of the foresaid burgh, bailies and community of the same, by me notary public : These things were done upon the ground of the said two tenements of the foresaid burgh of Irvine the ninth hour before noon or thereby, year, month, day, indiction and pontificate as above : Present, provident and discreet men, namely, Sirs William of Steuartoun, perpetual vicar of Kylbryde near the sea, John Cambell, Gilbert Heware, and Robert Kerd, chaplains, and Sir John of Farnle, chaplain; John Kerd, John Lokart, John Mur, John of Edynburgh, Nicholas Glofar, and Hugh Briane, burgesses of the said burgh, with many others, witnesses to the premises called and required.

And I, truly, Stephen of Heslyhope, presbyter of the Glasgow diocese, notary public [etc. in forma communi].

7. *Confirmation by King James the Second of a Mortification by Lady Alice Campbell of certain tenements and annualrents for the support of two Chaplains in the Parish Church of Irvine.*—3d *January* 1451-2.

Jacobus Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos quamdam cartam dilecte nostre Alicie Cambell sponse quondam Johannis Cambell de Loudoun militis factam Deo beate Marie virgini et ad sustentacionem duorum capellanorum ut infra lacius discribitur de tenementis et annuo redditu infrascriptis de mandato nostro visam lectam inspectam et diligenter examinatam sanam integram non rasam non cancellatam nec in aliqua sui parte suspectam ad plenum intellexisse sub hac forma Omnibus hanc cartam visuris vel audituris Alicia Cambell sponsa quondam domini Johannis Cambell de Loudoune militis salutem in Domino sempiternam Noveritis me non vi aut metu ductam nec errore lapsam aut dolo circumventam set mea pura et spontanea voluntate in mea pura viduitate in laudem et honorem domini nostri Jhesu Christi ac beatissime genetricis sue gloriosissime Virginis Marie beati Michaelis archangeli et omnium sanctorum pro salute animarum serenissimi principis domini Jacobi regis Scotorum illustrissimi et domine Marie regine prolumque suorum et pro salute anime mee et dicti quondam domini Johannis Cam-

bell militis mariti mei et prolum nostrorum ac omnium nostrorum antecessorum et successorum et omnium fidelium defunctorum dedisse concessisse et hac presenti carta mea confirmasse necnon dare concedere et hac presenti carta mea confirmare Deo beate Marie Virgini et capelle ejusdem nostre domine situate supra ripam aque de Irwin prope ecclesiam burgi de Irwin et capellano in dicta capella divina celebranti et inperpetuum celebraturo ad ejusdem sustentacionem pro animabus predictis quoddam tenementum jacens in burgo de Irwin in via ecclesiastica inter tenementum Hugonis de Blare ex parte boriali ex parte una et tenementum domini Willelmi Yong ex parte australi ex parte altera Et totum et integrum tenementum cum pertinenciis jacens juxta cimiterium ecclesie parochialis de Irwin in le Kirkgate ex parte occidentali vici regii inter tenementum domini Willelmi Yong ex parte boriali ex parte una et tenementum domini Walteri Johannis cappellani ex parte australi ex parte altera Et quoddam tenementum cum pertinenciis jacens in magno vico inter tenementum domini Laurencii Traine ex parte occidentali ex parte una et tenementum Johannis Lokart ex parte orientali ex parte altera Ac eciam quoddam tenementum jacens in dicto burgo inter tenementum Johannis Starhede ex parte orientali ex parte una et terram Alexandri de Houstone ex parte occidentali ex parte altera Et quemdam annuum redditum quinque marcarum bone et usualis monete Scocie exeuncium annuatim et levandarum ad duos anni terminos usuales Penthecostes videlicet et Sancti Martini in hieme per equales porciones de toto et integro tenemento Gilberti Goldsmyth jacente in dicto burgo in magno vico ex parte occidentali ejusdem vici inter tenementum Alexandri Houstone ex parte orientali ex parte una et communem venellam ex parte occidentali ex parte altera Dedi eciam et concessisse ac presentis carte mee tenore pro perpetuo do et concedo pro salute animarum predictarum ad sustentacionem alterius capellani divina celebrantis et inperpetuum celebraturi in ecclesia parochiali beate Marie virginis de Irwin ad altare beati Michaelis archangeli Deo et ipsi capellano qui pro tempore fuerit totum et integrum tenementum meum cum pertinenciis jacens in burgo supradicto in magno vico ex parte orientali vici regii inter tenementum quondam domini Johannis Marschale capellani ex parte orientali ex parte una et tenementum domini Willelmi Stewartone ex parte occidentali ex parte altera Tenenda et habenda supradicta tenementa ante et retro et annuum redditum supradictum cum pertinenciis ut superius est expressum capellanis prefatis ut prefertur in feodo et hereditate inperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in edificiis muris meremiis lapidibus et calce cum libero introitu et exitu ante et retro Ac cum omnibus aliis et singulis libertatibus asiamentis ac justis pertinenciis suis quibuscunque tam non nominatis quam nominatis tam sub terra quam supra terram tam prope quam procul ad dicta tenementa et annuum redditum prefatum cum pertinenciis spectantibus seu quovismodo juste spectare valentibus in futurum adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut alique terre aut annui redditus in regno Scocie per quoscunque quibuscunque altaribus aut capellanis liberius dantur aut conceduntur aut dari vel concedi poterunt in futurum qualitercunque ad presentacionem et collacionem post mei decessum ballivorum et communitatis burgi de Irwin qui pro tempore fuerint quociens vacaverint capellanie supradicte Volo eciam quod dicti capellani in serviciis predictis continuam faciant residenciam Et quod non sit licitum eis nec eorum alteri loco ipsorum aut alterius eorundem in dictis serviciis aliquem vel aliquos substituere deputare aut ordinare set tenebuntur omnino in dictis serviciis personaliter ministrare Volo eciam quod si contingat aliquem dictorum capellanorum focariam seu concubinam detinere quod hoc cognito in continenter depost vacabit capellania supradicta Volo eciam quod dictus capellanus capelle supradicte qui pro tempore fuerit liberam habeat facultatem pro annuo redditu supradicto distringere et namare Et tenementum predictum de quo prefatus annuus redditus debetur optinere et in defectu non solucionis ejusdem in forma juris lucrare Et volo quod in principio cujuslibet misse teneantur capellani prefati populum exhortare ad orandum pro animabus predictis et ut dicant oracionem dominicam cum salutacione angelica Et ego vero dicta Alicia et heredes mei dicta tenementa et annuum redditum cum pertinenciis adeo libere in omnibus et per omnia ut premissum est dictis capellanis qui pro tempore fuerint secundum tenorem et effectum precedentis donacionis contra omnes mortales warantizabimus acquietabimus et presentis carte mee tenore pro perpetuo defendemus In cujus rei testimonium presenti carte mee sigillum meum est appensum apud Edynburgh secundo die mensis Januarii anno Domini millesimo quadringentesimo quinquagesimo primo Testibus venerabili in Christo patre ac domino Andrea abbate de Melros suppremi domini nostri Regis confessore et thesaurario domino Johanne Cambel milite dompno Simone Wanles monacho monasterii de Melros Oswaldo Abirnethy Andrea Richardsone Gilberto Huntare et Michaele Johneson cum multis aliis Quam quidem cartam ac donacionem et concessionem in eadem contentas in omnibus suis punctis et articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectu in omnibus et per omnia approbamus ratificamus ac pro nobis et successoribus nostris ut premissum est admortizamus et pro perpetuo confirmamus Reservatis tantum pro nobis et successoribus nostris dictorum capellanorum oracionum suffragiis devotarum In cujus rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus Testibus reverendo in Christo patre Willelmo episcopo Glasguensi Willelmo domino Creichtone nostro cancellario et consanguineo predilecto Venerabili in Christo patre Andrea abbate de Melros nostro confessore et thesaurario dilectis consanguineis nostris Willelmo domino Somervile Andrea domino le Gray Magistris Johanne Arous archidiacono Glasguensi et Georgeo de Schoriswod Rectore de Cultre apud Edynburgh tercio die mensis Januarii anno Domini millesimo quadringentesimo quinquagesimo primo et regni nostri decimo quinto.

TRANSLATION.

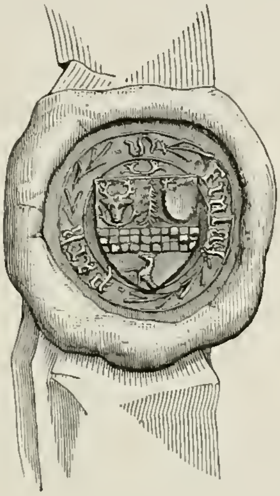
Confirmation by king James the Second, under the great seal, of a charter in the following terms: To all who shall see or hear this charter, Alicia Campbell, spouse of the deceased Sir John Campbell of Loudoun, knight, greeting in the Lord everlasting. Know ye that I, not led by force or fear, nor fallen in error, or circumvented by guile, but of my own pure and spontaneous will in my pure widowhood, to the praise and honour of our Lord Jesus Christ, and of his most blessed mother the most glorious Virgin Mary, Saint Michael the archangel, and all saints, for the weal of the souls of the most serene Prince lord James, the most illustrious king of Scots, and lady Mary his Queen, and their children, and for the weal of my own soul, and the soul of the said late Sir John Campbell, knight, my husband, and our children, and all our predecessors and successors, and of all the faithful dead, have given, granted, and by this my present charter confirmed, and do give, grant, and by this my present charter confirm to God, the blessed Mary the Virgin, and chapel of our said lady, situated upon the bank of the Water of Irvine near the church of the burgh of Irvine, and to a chaplain celebrating and for ever to celebrate divine service in the said chapel, to the support of the same, for the souls aforesaid, a certain tenement lying in the burgh of Irvine, in the Kirkgate, between the tenement of Hugh of Blare on the north side on the one part, and the tenement of Sir William Yong on the

south side on the other part: and all and whole a tenement with the pertinents lying beside the cemetery of the parish church of Irvine, in the Kirkgate, on the west side of the High Street, between the tenement of Sir William Yong on the north side on the one part, and the tenement of Sir Walter Johnson chaplain on the south side on the other part: And a certain tenement with the pertinents lying in the Meiklegate, between the tenement of Sir Laurence Traine on the west side on the one part, and the tenement of John Lokart on the east side on the other part: And also a certain tenement lying in the said burgh between the tenement of John Starhede on the east side on the one part, and the land of Alexander of Houstone on the west side on the other part: And a certain annualrent of five merks good and usual money of Scotland, proceeding and to be uplifted yearly at the two usual terms of the year, to wit, Whitsunday and Martinmas in winter by equal portions, from all and whole the tenement of Gilbert Goldsmyth, lying in the said burgh in the Meiklegate on the west side of the said street, between the tenement of Alexander Houstone on the east side on the one part, and the common vennel on the west side on the other part: I have also given and granted, and by the tenor of my present charter do for ever give and grant for the weal of the souls aforesaid, to the support of another chaplain celebrating and for ever to celebrate divine service in the parish church of St. Mary the Virgin of Irvine, at the altar of St. Michael the archangel, to God and the said chaplain who shall be for the time, all and whole my tenement, with the pertinents lying in the abovesaid burgh in the Meiklegate on the east side of the High Street, between the tenement of the late Sir John Marschale, chaplain, on the east side on the one part, and the tenement of Sir William Stewartone on the west side on the other part: To be holden and had the abovesaid tenements fore and back and annualrent abovesaid with the pertinents as above expressed, to the foresaid chaplains as aforesaid, in fee and heritage for ever, by all their right meiths, old and divided, as they lie in length and breadth, in buildings, walls, materials, stones and lime, with free ish and entry back and fore, and with all other and sundry freedoms, easements, and their right pertinents whatsoever, as well not named as named, as well under the ground as above the ground, as well far as near, belonging, or that may in time coming in any way justly belong to the said tenements and annualrent aforesaid, as freely, quietly, fully, wholly, honourably, well and in peace, in all and by all, as any lands or annualrents in the kingdom of Scotland are most freely given or granted or in any way in time to come may be given or granted, by any persons, to whatsoever altars or chaplains, at the presentation and collation after my decease of the bailies and community of the burgh of Irvine who shall be for the time, as often as the abovesaid chaplainries shall fall vacant: I will also that the said chaplains in the services aforesaid shall make continual residence; and that it shall not be lawful to them, nor either of them, to substitute, depute, or ordain any person or persons in their place, or that of either of them in the said services, but they shall be held bound entirely to minister personally in the said services: I will also that if it happen any of the said chaplains to keep a wench or concubine, that this being known, incontinently thereafter the above said chaplainry shall become vacant: I will also that the said chaplain of the abovesaid chapel, who shall be for the time, shall have free power to distrain and poind for the abovesaid annualrent, and the foresaid tenement from which the foresaid annualrent ought to be obtained, and in default of not payment of the same to acquire it in form of law. And I will that at the beginning of every mass the aforesaid chaplains shall be bound to exhort the people to pray for the souls aforesaid, and that they repeat the Lord's prayer with the angelic salutation: And I truly, the said Alicia and my heirs, shall warrant, acquit, and by the tenor of my present charter shall for ever defend, the said tenements and annualrent with the pertinents, as freely in all and by all as is aforesaid, to the said chaplains who shall be for the time, according to the tenor and effect of the preceding donation, against all mortals: In witness whereof to my present charter my seal is appended at Edinburgh, the second day of the month of January, the year of our Lord one thousand four hundred and fifty-one: Witnesses, the venerable father in Christ and lord, Andrew abbot of Melros, confessor and treasurer of our sovereign lord the King, Sir John Campbell, knight, Sir Simon Wanles, monk of the monastery of Melros, Oswald Abirnethy, Andrew Richardsone, Gilbert Huntare, and Michael Johneson, with many others: The which charter, and gift and grant contained therein, we do approve, ratify, and for us and our successors, as is premised, do mortify and for ever confirm, in all its points and articles, conditions and modes and circumstances whatsoever, in form and also in effect in all respects, reserving only for us and our successors the suffrages of the devout prayers of the said chaplains: In witness whereof, to this our present charter of confirmation we have commanded our great seal to be set, the witnesses being the reverend father in Christ William bishop of Glasgow,

William Lord Creichtone, our chancellor and well-beloved cousin, the venerable in Christ, Andrew Abbot of Melros, our confessor and treasurer, our beloved cousins William Lord Somervile, Andrew Lord le Gray, Masters John Arous, archdean of Glasgow, and George of Schoriswod, rector of Culter, at Edynburgh the third day of the month of January in the year of the Lord one thousand four hundred and fifty-first, and of our reign the fifteenth.

8. *Charter by Finlay Park, of a Tenement in Irvine, for support of a Chaplain at St. Peter's altar in the Parish Church of Irvine.—10th September* 1455.

Omnibus hanc cartam visuris vel audituris Finlaus Park burgensis burgi de Irwin salutem in domino Noveritis me in laudem et honorem omnipotentis Dei beate Marie virginis beate Petri apostoli et omnium sanctorum et pro salute anime quondam serenissimi principis domini Jacobi Scotorum regis necnon pro salute anime illustrissimi principis domini Jacobi Secundi Scotorum regis moderni et successorum suorum regni Scocie necnon pro salute anime mee patris et matris mee animarum omniumque parentum et benefactorum meorum et anima domine Alicie Cambel et animarum eorum contra quos deliqui et pro animabus omnium fidelium defunctorum ad sustentacionem unius capellani imperpetuum celebraturi ad altare beati Petri apostoli in ecclesia parrochiali de Irwin fundatum et situatum in insula boreali ejusdem ecclesie inter altare beate Marie ex parte boreali et altare Sancti Niniani ex parte australi dedisse concessisse et hac presenti carta mea confirmasse dictis altari et capelano qui pro tempore fuerit ad dictum altare divina celebranti totum et integrum illud tenementum meum ante et retro cum pertinenciis jacens in burgo de Irwin ex parte australi vici regii ejusdem inter terram Willelmi de Stoupishill ex parte orientali ex parte una et tenementum Johannis Alani ex parte occidentali ex parte altera Tenendum et habendum totum et integrum predictum tenementum ante et retro cum pertinenciis dicto capellano qui pro tempore fuerit ad predictum altare divina celebranti et suis successoribus dicti altaris capelanis de domino nostro rege et suis successoribus a me heredibus meis et assignatis in puram et perpetuam elemosinam ac in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacet in longitudine et latitudine cum omnibus et singulis libertatibus commoditatibus et asiamentis ac justis pertinenciis suis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad predictum tenementum ante et retro cum pertinenciis spectantibus seu juste spectare valentibus in futurum et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut aliquod tenementum seu terra infra regnum Scocie per quemcunque cuicunque altari seu capelano liberius datur aut conceditur aut dari vel concedi poterit in futurum qualitercunque Et volo quod dicte capellanie donacio post mei decessum ad ballivos et communitatem burgi de Irwin vere pertineat et quod nulla fiat presentacio dicte capellanie sed tantum simplex donacio Volo tamen quod pro toto tempore vite mee donacio dicte capellanie ad me pertineat quociens ipsam vacare contigerit Et volo quod teneatur dictus capellanus continuam facere residenciam ad dictum altare et non alubi Tenebitur etiam dictus capellanus qui pro tempore fuerit missam cotidianam cum dispositus fuerit celebrare Ac volo quod nullam teneat concubinam seu focaliam Et si per quadraginta dies continuos sanus existens minime celebraverit volo quod vacet capellania predicta Et etiam si contingat ipsum capellanum publice tenere concubinam per quadraginta dies continuos hoc cognito volo quod vacet eadem capellania Et volo quod si contigerit predictum capellanum qui pro tempore fuerit ad aliquod aliud beneficium uberius promoveri quod incontinente depost vacet capellania predicta et quod novus instituatur per donacionem ballivorum et communitatis burgi de Irwin Insuper volo quod predictus capellanus qui pro tempore fuerit teneatur in principio cujuslibet misse propulum exhortare ut dicant unum pater noster cum salutacione angelica pro animabus supradictis Et volo quod dictus capellanus qui pro tempore fuerit teneatur anniversaria videlicet placebo dirige missa de requiem cum nota post obitum meum semper die obitus mei et die precedente suis sumptibus et expensis fieri facere pro anima mea Insuper si contingat dictam capellaniam vacare per quadraginta dies continuos absque institucione capellani ad eandem volo quod incontinenter depost perpetuis futuris temporibus donacio dicte capellanie remaneat et pertineat ad donacionem abbatis et conventus monasterii de Kilwynnyn Eciam nolo quod episcopus aut quicunque ecclesiasticus aliquam habeat potestatem dandi seu conferendi dictam capellaniam sed quod donacio ejusdem tantum spectat ad ballivos et communitatem dicti burgi de Irwin quamdiu instituerint Et ego vero predictus Finlaus et heredes mei totum et integrum predictum tenementum ante et retro cum pertinenciis predictis altari et capellano et suis successoribus dicti altaris capellanis adeo libere in omnibus et per omnia ut predictum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus Insuper volo quod teneatur dictus capellanus sustentare edificium dicte capellanie date in eodem statu secundum quod relinquetur tempore obitus mei In cujus rei testimonium presenti carte mee sigillum meum est appensum Testibus magistro Andrea Broun dominis Willelmo Stewart vicario de Kilbride Johanne Nele Stephano Hesleop capellanis Alexandro Houstoun Willelmo Stoupishill Johanne Mure Thoma Tran et Adam Irwin apud burgum de Irwin decimo die mensis Septembris Anno Domini millesimo quadringentesimo quinquagesimo quinto.



Abstract.

Charter by Finlay Park, burgess of Irvine, for the honour of God Almighty, the blessed Virgin Mary, the Apostle Peter, and all the saints, and for the welfare of the souls of James King of Scots, deceased, James the second, now king of Scots; of his own father and mother, and of all his relatives and benefactors; of Lady Alice Campbell; and of all against whom he had offended, granting towards the sustentation of one chaplain, to serve for ever at the altar of Saint Peter the Apostle, founded and situated in the parish church of Irvine, in the north aisle thereof, between the altar of St. Mary on the north and that of St. Ninian on the south, all and whole that tenement of his, before and behind, with the pertinents, lying in the burgh of Irvine on the south side of the High street thereof, between the land of William of Stoupshill on the east and the tenement of John Alanson on the west: To be held of the king from the granter and his heirs and assignees in pure and perpetual alms, and in fee and heritage for

ever: and ordaining that the gift of the said chaplaincy should belong after his decease to the bailies and community of the burgh of Irvine: and that there should be no presentation thereto, but only a simple gift: The chaplain to be bound to make continual residence at the said altar, and not elsewhere; and to celebrate a daily mass when he may be disposed; not to keep a concubine or kitchenmaid: And if he should fail during forty days continuously to celebrate, he being in good health, the chaplaincy shall become vacant; and if he should happen to keep a concubine publicly for forty successive days, this being known, the chaplaincy shall become vacant: And if the chaplain should be promoted to any other richer benefice, then the chaplaincy shall immediately be vacant, and a new chaplain appointed by gift of the bailies and community of Irvine: Further, he ordains that the chaplain shall be bound to exhort the people at the beginning of each mass that they should say a paternoster with the angelic salutation, for the souls above mentioned: and that he shall cause to be performed at his own expense, for the soul of the granter, after his decease, anniversary services, namely, *placebo*, *dirige*, and *requiem* mass, with note, on the day of the granter's death, and the preceding day: and if it should happen the said chaplaincy to vacate during forty days continuously without the appointment of any chaplain thereto, the gift of the office shall incontinent thereafter and in all time coming belong to the abbot and convent of Kilwinning: also ordaining, that neither the bishop nor any ecclesiastic whatever shall have the power of giving or conferring the said chaplaincy, but that the gift thereof shall belong only to the bailies and community of Irvine: And further, that the chaplain shall be bound to maintain the building of the said chaplaincy in the same state in which it may be left at the time of the granter's death: The seal of the granter is appended at Irvine on 10th September 1455, before these witnesses, Mr. Andrew Broun, Sir William Stewart, vicar of Kilbride, Sir John Neil, chaplain, Sir Stephen Hislop, chaplain, Alexander Houstoun, William Stoupishill, John Mure, Thomas Tran, and Adam Irvine.

9. *Charter by William Stoupishill, granting several Annualrents for the support of a Chaplain in the Parish Church of Irvine.—18th August* 1477.

In Dei nomine Amen Omnibus hanc cartam visuris vel audituris Wilelmus Stoupishill burgensis de Irwyne salutem in Domino sempiternam Noveritis

me ad laudem Dei omnipotentis beatissime Virginis Marie matris sue sanctorumque Convalli confessoris Stephani et Sebastiani martyrum ac omnium sanctorum curie celestis Et ut cultus Redemptoris nostri crucifixi et divinus honos augeatur manuteneatur aula dominici gregis illuminetur et nova quidem prole fecundetur dedisse concessisse et hac presenti carta mea confirmasse necnon dare concedere et hac presenti carta mea confirmare Deo beate Marie et sanctis suprascriptis pro sustentacione et annuo sallario unius capellani divina celebrantis et inperpetuum celebraturi in ecclesia parochiali de Irwyne ad altare predictorum sanctorum per me in insula australi dicte ecclesie fundatum edificatum et dotatum pro salubri statu excellentissimi principis Jacobi tercii Dei gracia regis Scotorum illustrissimi Margarete regine consortis sue splendidissime Et pro salute animarum antecessorum et successorum suorum Et pro salute anime mee patris mei matris mee Elizabeth Boyman Ezabelle Schaw [quon]dam uxorum mearum et omnium antecessorum et successorum meorum ac omnium fidelium defunctorum omnes et singulos meos annuos redditus subscriptos videlicet unum annuum redditum meum septem marcarum exeuncium annuatim et levandarum de toto et integro tenemento meo cum pertinenciis jacente in dicto burgo ex parte australi ejusdem inter tenementum Johannis Stoupishill ad orientem et tenementum Willelmi Esdale ad occidentem Item unum annuum redditum meum trium marcarum vj solidorum et octo denariorum exeuncium et annuatim levandarum de quodam tenemento templario cum pertinenciis jacente in dicto burgo ex parte australi ejusdem inter tenementum sive terram Thome Scot ad orientem et tenementum Rankini de Symontone ad occidentem Item unum annuum redditum meum decem et sex solidorum et octo denariorum exeuncium et annuatim levandorum de toto et integro tenemento Johannis Davisone cum pertinenciis jacente in le Grip inter tenementum Willelmi Dunlop ex parte australi et venellam que descendit ad vadum fratrum inter dictum tenementum et tenementum Ade Cragyne ex parte borientali Item unum annuum redditum quatuor solidorum exeuncium et annuatim levandorum de toto et integro tenemento Willelmi Rychisone de Nutyntone cum pertinenciis jacente in monte arenoso ex parte occidentali ejusdem inter tenementum Johannis Jamysone ex parte australi et tenementum Johannis Dalrympill ex parte borientali levandos et recipiendos prescriptos annuos redditus annuatim prius et pre omnibus solucionibus et aliis oneribus firma regia duntaxat excepta ad festa pentecostes et Sancti Martini in hyeme per equales porciones de omnibus et singulis prenotatis tenementis Tenendos et habendos et precipiendos omnes et singulos suprascriptos annuos redditus dicto capellano et suis successoribus de me quam diu vixero in humanis et post meum decessum de ballivis et communitate dicti burgi de Irvyne [obliterated] dicte perpetue capellanie perpetuos constituo patronos Et volo quod dicta capellania tociens quociens post meum decessum vacare contigerit solummodo spectat ad donacionem prefatorum ballivorum et communitatis et nullius alterius in puram et perpetuam elimosinam cum omnibus et singulis libertatibus commoditatibus et aisiamentis ac justis suis pertinenciis quibuscunque ad dictos annuos redditus [et elimos]inam perpetuam spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace adeo libere in omnibus et per omnia sicut aliqui annui redditus cum pertinenciis aliquibus altaribus seu locis sacris per quemcunque seu quoscunque infra regnum Scocie conceduntur seu dantur vel dari poterunt seu concedi In cujus rei testimonium presenti carte mee in missali libro dicti altaris pro perpetua memoria signum et scripturam manualem notarii subscripti debita cum instancia inpingi et subscribi rogavi et requisivi apud burgum antedictum decimo octavo die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo septimo indictione x^a^ pontificatus sanctissimi in Christo patris et domini nostri domini Sixti divina providencia pape quarti anno vij° Presentibus ibidem providis et honestis viris Alexandro Mure et Johanne Scot dicti burgi ballivis possessionem et saisinam prescripti annui redditus septem mercarum ex speciali mandato dicti donantis capellanie prenotate conferentibus et tradentibus David Berclay de Ladylandis scutifero Thoma Pullay Johanne Dalrympill Thoma Tran Johanne Carnbukle Willelmo Lammok et Bartholomeo Alde sergiando burgensibus dicti burgi cum multis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannis Symontoune presbyter Glasguensis diocesis publicus Imperialique Regali autoritatibus notarius predicte carte confectioni ac saisine donacioni patronorumque constitucioni et universis aliis suprascriptis dum sic ut premittitur agerentur et fierent unacum prenominatis testibus presens personaliter interfui eaque sic fieri scivi vidi et audivi ac in notam cepi Indeque presens publicum instrumentum manuscriptum confeci

signoque et nomine meis solitis et consuetis signavi vocatus et requisitus In fidem et testimonium veritatis omnium premissorum.

JOHANNES SYMONTOUNE.

TRANSLATION.

In the Name of God, Amen: To all who shall see or hear this charter, William Stoupishill, burgess of Irvine, health in the Lord everlasting: Wit ye me, to the praise of Almighty God, the most blessed virgin Mary his mother, and of St. Conval the confessor, St. Stephen and St. Sebastian the martyrs, and all the saints of the celestial court, and that the worship and divine honour of our crucified Redeemer may be increased and maintained, and the court of the Lord's flock illuminated and enriched with even new offspring, to have given, granted, and by this my present charter confirmed, and do give, grant, and by this my present charter confirm, to God, St. Mary and the other saints above written, for the sustentation and yearly salary of a chaplain celebrating and for ever to celebrate divine worship in the parish church of Irvine, at the altar of the foresaid saints, founded built and endowed by me in the south aisle of the said church, for the healthful estate of the most excellent Prince James the third by the grace of God most illustrious King of Scots, Queen Margaret his most renowned consort, and their successors, and for the weal of the soul of my father, my mother, Elizabeth Boyman and Isabel Schaw sometime my spouses deceased, and of all my predecessors and successors, and of all the faithful dead, all and sundry my annualrents underwritten, namely, my annualrent of seven merks forthcoming and to be uplifted yearly from all and whole my tenement with the pertinents lying in the said burgh on the south side thereof, between the tenement of John Stoupishill at the east and the tenement of William Esdale at the west: also an annualrent of mine of three merks six shillings and eight pennies, forthcoming and to be yearly uplifted from a certain Templar tenement, with the pertinents, lying in the said burgh on the south side thereof, between the tenement or land of Thomas Scot at the east and the tenement of Rankine of Symontone at the west; also an annualrent of mine of sixteen shillings and eight pennies, forthcoming and to be yearly uplifted from all and whole the tenement of John Davisone with the pertinents, lying in le Grip, between the tenement of William Dunlop on the south side, and the vennel which descends to the Friars' Ford, between the said tenement and the tenement of Adam Cragyne on the north side; also an annualrent of four shillings forthcoming and to be yearly uplifted from all and whole the tenement of William Rychisone of Nutyntone, with the pertinents, lying in the Sandyhill, on the west side thereof, between the tenement of John Jamysone on the south side and the tenement of John Dalrympill on the north side: To be uplifted and received, the beforewritten annualrents, yearly, first and before all payments and other burdens, the King's ferme only excepted, at the feasts of Whitsunday and Martinmas in winter, by equal portions, forth of all and sundry the before-rehearsed tenements: To be holden and had and uplifted, all and sundry the above-written annualrents, to the said chaplain and his successors, of me as long as I shall live in the world, and after my decease of the bailies and community of the said burgh of Irvyne, [whom] I constitute perpetual patrons of the said perpetual chaplainry: And I will that the said chaplainry as often as it shall happen to be vacant after my decease, only pertain to the donation of the foresaid bailies and community, and none other, in pure and perpetual alms, with all and sundry liberties, commodities, and easements, and their right pertinents whatsoever, pertaining or that may justly pertain in any manner of way in time to come to the said annualrents, in perpetual alms, freely, quietly, fully, wholly, honourably, well and in peace, as freely in all and by all as any annualrents with the pertinents are granted or given, or can be given or granted, to any altars or sacred places, by any person or persons within the Kingdom of Scotland: In witness whereof I have, with due instance, asked and required the sign and writing of the notary underwritten to be inserted and subscribed to my present charter in the missal book of the said altar, for perpetual memorial, at the foresaid burgh on the eighteenth day of the month of August the year of our lord one thousand four hundred and seventy-seven, the tenth indiction, the seventh year of the pontificate of the most holy father in Christ and our lord Sixtus the fourth by divine providence Pope: Present there, prudent and honourable men, Alexander Mure and John Scot, bailies of the said burgh, bestowing and delivering possession and sasine of the fore-written annualrent of Seven merks, at the special command of the endower of the before-mentioned chaplainry, David Berclay of Ladylandis, esquire, Thomas Pullay, John Dalrympill, Thomas Tran, John Carnbukle, William Lammok, and Bartholomew Alde, serjeant, burgesses of the said burgh, with many others, witnesses to the premises alike called and required.

And I John Symontoune presbyter of the Glasgow diocese, notary public [etc.]

[On the second sheet of the parchment of this Charter is written the following Codicil.]

Infrascriptus Wilelmus Stoupishill fundavit unum obitum sive perpetuum anniversarium xxiiij solidorum annui redditus exeuncium et annuatim levandorum post ejus decessum in die sui obitus prius et pre omnibus solucionibus in una integra summa de toto et integro tenemento Johannis Cowane cum pertinenciis jacente in burgo de Irwyne ex parte borientali ejusdem inter tenementum Eduardi Campbell ad orientem et tenementum Johannis Blane ad occidentem Quem quidem annuum redditum xxiiij solidorum ordinavit forma qua sequitur distribuendorum et erogandorum In primis vij capellanis melioribus cantoribus ecclesie antedicte dictum obitum sive anniversarium coram altare Sancti Convalli cum placebo et dirige et ix lectionibus si extra tempus Paschale contigerit et missa in crastino solemniter celebrantibus cum diacono et subdiacono cum nota et vij aliis missis privatis annuatim celebrantibus et celebraturis viij solidos Item ordinavit xiij s distribuendos et erogandos post solemnem missam ex in esculentis et poculentis xiij pauperibus senioribus et debilioribus ville supradicte unicuique cibaria et poculencia ad valorem xij đ in honorem domini nostri Jhesus Ch[risti et] Apostolorum suorum pro salute anime ipsius Willelmi patris sui matris sue Elizabet Boyman et Ezabelle Schaw uxorum suarum Andree Stoupishill et Jonete Stoupishil proleum suarum et animabus omnium predecessorum et successorum suorum et omnium fidelium defunctorum Item ordinavit clericum parochialem pro pulsacione campanarum iiij đ Item tyn[tin]abulo ville ij đ Item ordinavit ad sustentacionem luminum tempore exequiarum arcendorum xij đ Item ordinavit ballivis ville qui pro tempore fuerint ad attendendum et videndum ut universa et singula prescripta debite compleantur xij đ ad eorundem collacionem prout in regestro ville plenius continetur Item dictus Willemus dedit dicto altari Sancti Convalli [et ad] ornamenta altaris calicem argentium et super deauratum et istum librum missalem [apud] dictum altare pro perpetuo remansuros.

Teste me Johanne Symontoune notario publico manu propria.

Translation.

The within-written William Stoupishill founded an obit or perpetual anniversary of xxiiij shillings of annualrent, forthcoming and to be uplifted yearly after his decease on the day of his obit, first and before all payments, in one whole sum, from all and whole the tenement of John Cowane with the pertinents, lying in the burgh of Irvine on the north side thereof, between the tenement of Edward Campbell at the east and the tenement of John Blane at the west: Which annualrent of xxiiij shillings he ordained to be distributed and debursed in manner as follows: In the first, to seven chaplains, the better singers of the foresaid church, solemnly celebrating the said obit or anniversary before the altar of St. Convall, with *placebo* and *dirige* and nine lessons, if it happen to be without the time of Pasch, and a mass on the morrow with deacon and subdeacon, with note, and seven other private masses annually celebrating and to celebrate viij s̃: Also he ordained xiij s̃ to be distributed and laid out after the solemn mass in meats and drinks on xiij of the older and feebler persons of the foresaid town, to every one of food and drink to the value of xij đ, in honour of our Lord Jesus Christ and his Apostles, for the weal of the soul of the said William, of his father, his mother, Elizabeth Boyman and Isabella Schaw his spouses, Andrew and Jonet Stoupishill his children, and for the souls of all his predecessors and successors and of all the faithful dead: Also he ordained to the parish clerk for ringing of the bells iiij đ, and to the bellringer of the town ij đ: Also he ordained for upholding of the lights burning at the time of the exequies xii đ: Also he ordained to the bailies of the town for the time being, for attending and seeing that all and sundry the foresaids were duly fulfilled, xij đ, at their disposal, as in the register of the town is more fully contained: Also, the said William gave to the said altar of St. Convall and to the ornaments of the altar a silver cup and overgilt with gold, and the said missal book, to remain for ever at the said altar.

Witness me John Symontoune notary public with my hand.

[1] Oratio pro muliere pregnante.

Deus qui beatam virginam et matrem Mariam in conceptu et in partu et Jonam prophetam de ventre ceti potenti virtute liberasti tuam famulam gravidam protege et visita eam in salutari tuo ut proles in ea contenta feliciter in lucem prodeat et perveniat ad graciam lavacri salutaris per Christum.

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[1] Written after the preceding Deed by a different hand.

Secretum.

Suscipe quesimus Domine hostias et preces humilitatis nostre et famulam tuam scuto proteccionis tue diffende et quia pregnantem tua gracia esse voluisti hanc adveniente partus tempore graciose libera et ab omnibus perturbacionibus cum prole in ipsa contenta clementer conserva.

Post Communionem.

Adesto supplicationibus nostris omnipotens Deus et famule tue largiflue proteccionis munus concede ut adveniente tempore parturiendi gracie tue presidium suscipiat et proles quam ediderat percepto lavacro salutari graciosis incrementis feliciter proficiat per Christum. G. Baxter.

Translation.

Prayer for a Pregnant Woman.

O God, who didst free the blessed virgin and mother Mary in conception and bringing forth, and by Thy mighty power didst deliver the prophet Jonah from the whale's belly, protect Thy burdened handmaid, and visit her in Thy salvation, that the child contained in her may happily come forth to the light, and arrive at the grace of the healing font through Christ.

Secret.

Accept, O Lord, we beseech, the sacrifices and prayers of our humility, and defend Thine handmaid with the shield of Thy protection ; and whereas Thou hast by Thy favour willed her to be pregnant, graciously deliver her in the approaching time of giving birth, and mercifully preserve her, with the child contained in her, from all perturbations.

After Communion.

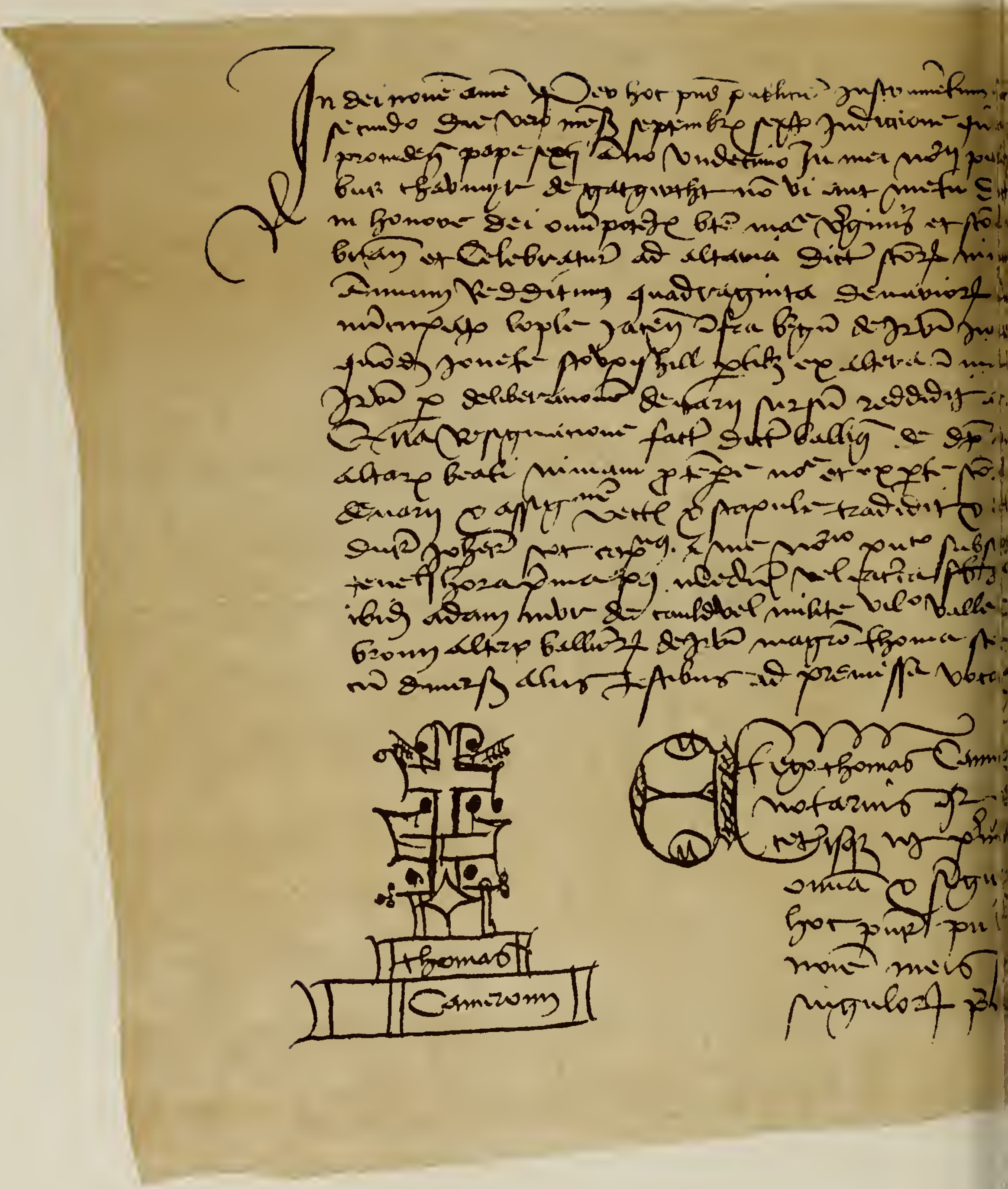
Attend, O Almighty God, to our supplications, and grant to Thine handmaid the favour of Thy abundant protection, so that in the coming time of bringing forth Thou wouldst of Thy grace undertake her safeguard, and happily prosper the child which she shall have brought forth, and when the healing font has been obtained, with gracious increase through Christ.

G. Baxter.

10. *Instrument on the Resignation by James Chalmer of Gadgirth of an Annualrent of Forty Pennies, for support of the Chaplains of St. Ninian and St. Katherine in the Parish Church of Irvine.—6th September* 1502.

In Dei nomine amen Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab incarnacione Domini millesimo quingentesimo secundo die vero mensis Septembris sexto indiccione quinta pontificatus sanctissimi in Christo patris et domini nostri domini Alexandri divina providencia pape sexti anno undecimo In mei notarii publici et testium subscriptorum presencia constitutus honorabilis vir Jacobus Chaumyr de Gatgirtht non vi aut metu ductus nec errore lapsus sed zelo devocionis accensus ut asseruit in honore Dei omnipotentis beate Marie Virginis et Sanctorum Niniani et Katrine ad supportacionem capellanorum divina celebrantium et celebraturorum ad altaria dictorum sanctorum Niniani et Katrine in ecclesia parochiali de Irvin situata unum suum annuum redditum quadraginta denariorum annuatim levandorum et exeuntium de toto et integro tenemento vulgariter nuncupato Lople jacente infra burgum de Irvin inter tenementum domini Abbatis de Kilvynnyne ex una et tenementum quondam Jonete Stoupishill partibus ex altera in manus honorabilis viri Johannis Montgumry unius ballivorum de Irvin per deliberacionem denarii sursum reddidit ac a se et heredibus suis pure et simpliciter resignavit imperpetuum Qua resignacione facta dictus ballivus de dicto annuo redditu quadraginta denariorum domino Johanni Scot capellano altaris beati Niniani pro tempore nomine et ex parte sanctorum Niniani et Katrine sasinam et statum hereditarium per deliberacionem denarii et assignacionem vectis et stapule tradidit et deliberavit Super quibus omnibus et singulis sic premissis dictus dominus Johannes Scot capellanus a me notario publico subscripto fieri peciit presens instrumentum Acta erant hec super fundum dicti tenementi hora prima post merediem vel ea circa sub anno die mense indiccione et pontificatu quibus supra Presentibus ibidem Adam Mur de Cauldwel milite Willelmo Walles filio et apparente herede Mathei Walles de Crago Rankino Broun altero ballivorum de Irvin magistro Thoma Scot Thoma Young clerico Patricio Watson et Johanne Symsone serjandis cum diversis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Thomas Cameron clericus Glasguensis diocesis publicus sacra apostolica et regali auctoritatibus notarius, etc. Thomas Cameroun.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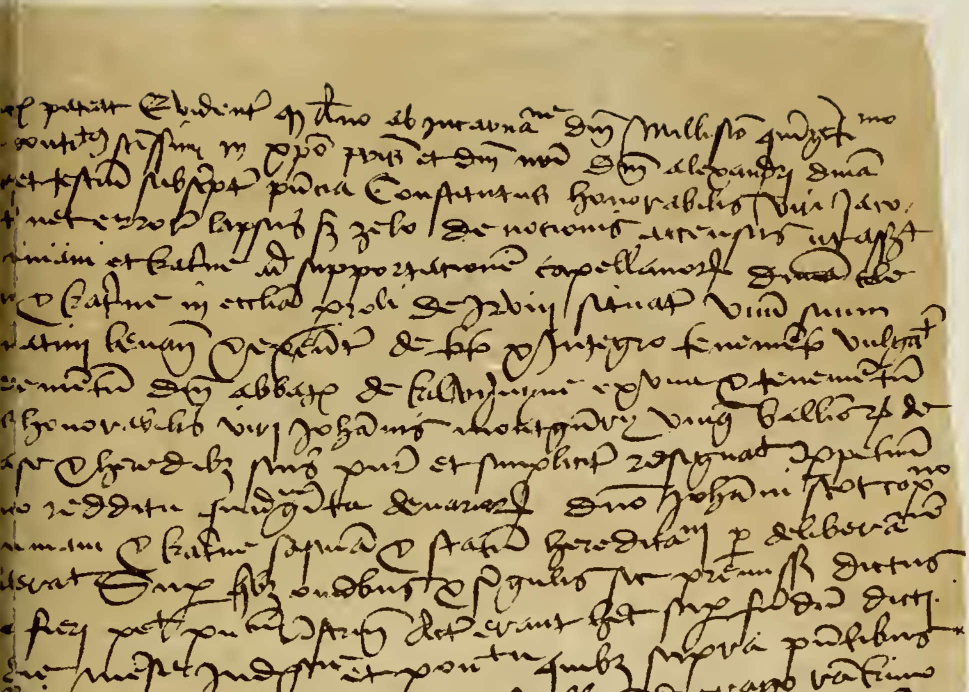
Cameron

INSTRUMENT ON THE RESIGNATION BY



MS CHALMER OF GADGIRTH. 6TH SEP. 1502.

CY ARCHL ASSOCN 1890

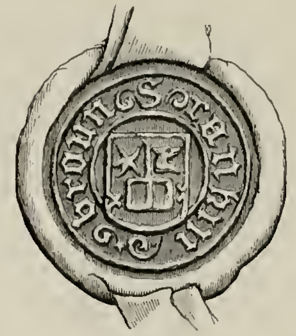
TRANSLATION.

In the name of God, Amen: Be it evidently known to all men by this present public instrument that in the year from the incarnation of the Lord one thousand five hundred and second, and on the sixth day of the month of September, the eleventh year of the pontificate of the most holy father in Christ, and our lord Alexander the sixth, by divine providence Pope, In presence of me notary public and witnesses underwritten, personally compeared an honourable man James Chalmer of Gatgirth, not led by force or fear nor fallen in error, but inflamed with zeal of devotion, as he asserted, to the honour of Almighty God, Saint Mary the Virgin, and Saint Ninian and Saint Katherine, for the support of chaplains celebrating and to celebrate divine service at the altars of the said Saints Ninian and Katherine, situated in the parish church of Irvine, surrendered and from him and his heirs purely and simply for ever resigned, by delivery of a penny in the hands of an honourable man John Montgumry, one of the bailies of Irvine, his annualrent of forty pennies yearly to be uplifted, and proceeding from all and whole the tenement commonly called Lople, lying within the burgh of Irvine, between the tenement of the lord Abbot of Kilwinning on the one side, and the tenement of the deceased Janet Stoupishill on the other side: which resignation being made, the said bailie gave and delivered sasine and heritable state of the said annualrent of forty pennies to Sir John Scot, chaplain of the altar of Saint Ninian, for the time, in name and on behalf of Saint Ninian and Saint Katherine, by delivery of one penny, and assignation of hesp and staple: upon which all and sundry, as aforesaid, the said Sir John Scot chaplain craved of me notary public underwritten, the present instrument to be made: these things were done upon the ground of the said tenement the first hour after noon or thereby, year, day, month, indiction and pontificate as above; present there, Adam Mure of Cauldwell, knight, William Wallace, son and apparent heir of Matthew Wallace of Cragie, Rankine Broun, another of the bailies of Irvine, Master Thomas Scot, Thomas Young, clerk, Patrick Watson and John Symsone, serjeants, with sundry others, witnesses called alike and asked to the premisses.

And I, Thomas Cameron, clerk of the Glasgow diocese, notary public, [etc., in forma communi].

11. *Charter by Rankin Broun, Burgess of Irvine, granting to the Curate of the Parish and five other Chaplains certain Annualrents for masses and obit therein specified.*—17*th November* 1506.

Omnibus hanc cartam visuris vel audituris Rankinus Broun burgensis burgi de Irvin salutem in Domino Sempiternam Noveritis me zelo devocionis et caritatis intuitu ductum ad honorem omnipotentis Dei Jhesu Christi crucifixi ejus unigeniti et domini salvatoris nostri ac beatissime Virginis Marie matris sue gloriosissime et omnium Sanctorum celestis curie dedisse concessisse et hac presenti carta mea confirmasse necnon dare concedere et hac presenti carta mea confirmare discretis et circumspectis viris curato parrochialis ecclesie de Irvin capellano ministranti ad altare beate Marie Virginis, capellano ministranti ad altare Sancti Petri situatum in insula boriali dicte ecclesie, capellano ministranti ad altare Sancte Katrine et capellano ministranti ad altare Sancti Convalli situatum in insula australi dicte ecclesie et capellano ministranti in capella beatissime Virginis Marie de Banko et eorum successoribus capellanis observantibus et celebrantibus duas missas ebdomidales ad altare Sancti Salvatoris et Sancti Thome Marthiris in insula quam construxi in nave dicte ecclesie ex parte boriali ejusdem unam videlicet privatam missam omni feria secunda et alteram missam videlicet Corporis Cristi omni feria quinta cum processione et cantu solemniter pro bono statu serenissimi principis Jacobi quarti domini nostri Regis Scotorum illustrissimi ac domine Margarete consortis sue illustrissime et pro animabus progenitorum et successorum regum Scocie ac pro salute mei necnon pro animabus patris mei matris mee ac Christine Hare, Isabelle Houstoun, et Jonete Wodburn, quondam uxorum mearum ac Isabelle Broun filie mee, et animabus omnium progenitorum meorum ac benefactorum et successorum meorum necnon pro bono statu et felici regimine ballivorum et communitatis dicti burgi presencium et futurorum et pro animabus omnium fidelium defunctorum omnes et singulos meos annuos redditus subscriptos annuatim levandos de tenementis subscriptis jacentibus infra dictum burgum In primis videlicet de quodam meo tenemento cum pertinentiis jacente ex parte boriali inter tenementum templarium quondam Alexandri Stoupishill ex parte orientali et tenementum Jacobi Esdale ex parte occidentali tresdecem solidos et quatuor denarios Item de toto et integro tenemento meo cum pertinentiis jacente in via pontis ex parte boriali ejusdem inter tenementum Johannis Mur ex parte occidentali et tenementum Georgei Boid ex parte orientali tresdecim solidos et quatuor denarios Item de meo tenemento cum pertinentiis jacente in monte arenoso ex parte occidentali et in cono ejusdem inter viculum qui ducit ad aquam ex parte australi ex una et tenementum Alexandri Baxtar ex parte boriali partibus ex altera tresdecim solidos et quatuor denarios Item de quodam tenemento meo cum pertinentiis jacente in via maris ex parte orientali ejusdem inter tenementum quondam Johannis Dene ex parte australi et tenementum Hugonis Dunlop ex parte boriali tresdecim solidos et quatuor denarios Item quemdam meum annuum redditum sex solidorum et octo denariorum annuatim et exeuntium ad duos anni terminos consuetos de toto et integro tenemento Roberti Fultoun cum pertinentiis jacente in dicto monte arenoso ex parte occidentali vici qui ducit ad Kilvynnyne inter tenementum Johannis Smytht ex parte australi et tenementum Johannis Dene filii quondam Hugonis Dene ex parte boriali Item quemdam meum annuum redditum trium solidorum annuatim levandorum et recipiendorum ad duos anni terminos consuetos de toto et integro tenemento Georgei Makge cum pertinentiis jacente ex parte orientali dicti vici inter tenementum Johannis Arnbukle ex parte boriali et aliud tenementum dicti Georgei ex parte australi Item quemdam meum annuum redditum decem solidorum annuatim levandorum et recipiendorum ad duos anni terminos consuetos de toto et integro tenemento Patricii Watsone ex eadem parte vici inter tenementum Johannis Scot ex parte boriali et tenementum quondam Johannis Dene ex parte australi Item quatuor solidos de quodam tenemento jacente in dicto monte in cono ejusdem ex parte occidentali vici regii inter tenementum quondam Johannis Dalrymple ex parte australi et viam que ducit ad mare ex parte boriali Item de quodam meo tenemento cum pertinentiis jacente ex parte orientali predicti vici qui ducit ad Kilvynnyne inter duo tenementa Jacobi Broun ex utraque parte tres solidos qui se extendunt annuatim ad quatuor libras monete Scocie Tenendos et habendos omnes et singulos predictos annuos redditus a me et heredibus meis predictis sex capellanis et eorum successoribus sic ut premittitur predictas duas missas ebdomidales celebrantibus et observantibus in puram et perpetuam elemosinam inter eosdem equaliter et proporcionaliter dividendos de domino nostro Rege in capite more burgali cum omnibus et singulis pertinentiis suis commoditatibus et proficuis ad dictos annuos redditus cum pertinentiis spectantibus seu juste spectare valentibus commodolibet in futurum libere quiete honorifice bene et in pace sine retinemento vel revocatione quacunque et adeo libere sicut aliqui annui redditus dantur vel conceduntur dari vel concedi possunt in puram et perpetuam elemosinam aliquibus personis religiosis infra regnum Scocie Item do et concedo dictis sex capellanis et suis successoribus anniversarium post meum decessum annuatim in die obitus mei celebrandum cum placebo et dirige novem lectionibus si extra tempus paschale et solennem missam requiam ad dictum altare Sancti Salvatoris cum cantu sex solidos proporcionaliter dividendos et duos denarios clerico parrochiali campanas ecclesie pulsanti et duos denarios tintinabilario oranti et ad orandum exortanti pro animabus prenotatis et quatuor denarios lumini vel cere tempore exequiarum annuatim post meum decessum levandos et recipiendos in die obitus mei integraliter de toto et integro tenemento Johannis Dene filii quondam Hugonis Dene jacente ut supra similiter tenendos in puram et perpetuam elimosinam Item constituo et ordino ballivos et communitatem dicti burgi patronos dicti altaris et premissorum omnium pro tempore existentes Et quia ista concessio et donacio mea facta sunt in presencia honorabilium virorum Thome Cameroun et Jacobi Esdale ballivorum et communitatis dicti burgi in pretorio ejusdem die date presencium pro tribunali sedentium qui promiserunt et obligarunt se et suos successores in perpetuum ad causandum dictos capellanos et suos successores obligari ad premissa observanda et complenda fideliter ut premissum est Et pro majoris roboris firmitate sigillum commune dicti burgi presentibus appendi promiserunt Et ego vero dictus Rankinus et heredes mei omnes et singulos suprascriptos annuos redditus cum pertinentiis predictis capellanis et eorum successoribus in puram et perpetuam elimosinam ut premissum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus In cujus rei testimonium sigillum meum huic presenti carte mee est appensum apud burgum de Irvin decimo septimo die mensis Novembris Anno Domino millesimo qui[n]gintesimo sexto.



Abstract.

Charter by Rankine Broun, burgess of the burgh of Irvine, whereby, being induced by zeal of devotion and instinct of charity to the honour of Almighty God, Jesus Christ the crucified his only begotten Son, and our Lord and Saviour, and of the most blessed Virgin Mary his most glorious mother, and all the Saints of the Celestial Court, he gives, grants, and confirms to discreet and circumspect men, the curate of the parochial church of Irvine, the chaplain ministering at the altar of St. Mary the Virgin, the chaplain ministering at the altar of St. Peter situated in the north aisle of the said church, the chaplain ministering at the altar of St. Katharine, and the chaplain ministering at the altar of St. Convall, situated in the south aisle of the said church, and to the chaplain ministering at the chapel of the most blessed Virgin Mary of Bank, and their successors, chaplains observing and celebrating two weekly masses at the altar of St. Salvator and St. Thomas the Martyr, in the aisle which the granter had built in the nave of the said church on the north side of the same: that is to say, a private mass every second week day, and the other, namely, of *Corpus Christi*, every fifth week day, with procession and chant solemnly, for the good estate of the most Serene Prince James the fourth, most illustrious King of Scots, and Dame Margaret his most illustrious consort, and for the souls of his progenitors and successors, Kings of Scotland, and for the weal of the granter's own soul, and the souls of his father, mother, and of Christian Hare, Isabel Houstoun, and Jonet Woodburn, sometime his spouses, and of Isabel Broun his daughter, and the souls of all his progenitors, benefactors and successors, and for the good estate and happy government of the bailies and community of the said burgh present and to come, and for the souls of all the faithful dead, all and whole his annualrents to be uplifted from tenements in the said burgh; first, from a tenement on the north side, between the Templar tenement of the late Alexander Stoupishill on the east and the tenement of James Esdale on the west, 13s. 4d.; also, from his tenement in the Bridgegate, on the north side thereof, between the tenement of John Mure on the west and the tenement of George Boid on the east, 13s. 4d.; from his tenement on the Sandy Hill on the west, and at the nook thereof between the street that leads to the water on the south side and the tenement of Alexander Baxter on the north side, 13s. 4d.; from a certain tenement in the Seagate, on the east side of the same, between the tenement of the late John Dene on the south and the tenement of Hugh Dunlop on the north sides, 13s. 4d.; an annualrent of 6s. 8d. yearly to be uplifted at the two usual terms from the tenement of Robert Fultoun in the said Sandy Hill, on the west side of the street that leads to Kilwinning, between the tenement of John Smyth on the south side and the tenement of John Dene son of the deceased Hugh Dene on the north side; also an annualrent of 3s. to be uplifted at the two terms from the tenement of George Makge on the east side of the said street, between the tenement of John Arnbukle on the north and another tenement of the said George on the south sides; and an annualrent of 10s. to be uplifted at the two usual terms from the tenement of Patrick Watsone on the same side of the street, between the tenement of John Scot on the north side and the tenement of the late John Dene on the south side; also 4s. from a tenement in the said hill, in the nook thereof, on the west side of the High Street, between the tenement of the late John Dalrymple on the south side and the way that leads to the sea on the north side; and from a certain tenement on the east side of the said street which leads to Kilwinning between the two tenements of James Brown on either side, 3s.; which extend yearly to £4 money of Scotland: To be held from the granter and his heirs to the said six chaplains and their successors celebrating two weekly masses as above, in pure and perpetual alms, to be equally and proportionally divided among them, of the king in chief, in manner of burgage, as freely as any almsgifts in the kingdom of Scotland: Further, giving to the said chaplains and their successors for an anniversary after his decease to be kept yearly on the day of his death, with *placebo* and *dirige*, etc., at the altar of St. Salvator, with chanting, 6s., to be proportionally divided, and 2d. to the parish clerk ringing the bell, and 2d. to the bellman, praying and exhorting to pray for the souls before mentioned, and 4d. to the light or wax at time of exequies, yearly, to be uplifted after his decease on the day of his obit, from the tenement of John Dene son of the late Hugh Dene lying as above: to be held as above in pure alms: And ordaining the bailies and community of the burgh for the time being, patrons of the said altar and all aforesaid: This grant was made in presence of honourable men, Thomas Cameron and James Esdale, bailies, and the community of the burgh, in the Tolbooth thereof on the day of date hereof, sitting in judgment, who promised and bound them and their successors for ever to cause the said chaplains and their successors oblige themselves to

observe and fulfil the premises faithfully; and promised for greater confirmation to append the common seal of the burgh hereto. Contains a clause of warrandice, and is dated at the Burgh of Irvine 17th November 1506.

12. *Confirmation by the Archbishop of Glasgow of Letters of Presentation of Mr. Thomas Scott, to the Chaplaincy of the Virgin Mary of Bank.—2d November* 1528.

Universis et singulis sancte matris ecclesie filiis ad quorum noticias presentes litere pervenerint Gavinus miseratione divina Archiepiscopus Glasguensis salutem in omnium salvatore Literas honorabilium virorum ballivorum, viz., consulum et communitatis Burgi de Irrvin nostre Glasguensis diocesis de et super presentatione donatione et plenaria dispositione capellanie perpetue capelle Beate Marie semper Virginis de Bank vulgariter nuncupate in persona discreti viri Magistri Thome Scott presbiteri dicte nostre diocesis per eosdem ejusdem capellanie indubitatos patronos occurrente ejusdem vacatione per obitum quondam domini Johannis Boyde ultimi dum viveret capellani et possessoris ejusdem extra Romanam curiam defuncti factas sigillo communi dicti burgi cera alba ex utraque parte impressa sigillatas ac signo et subscriptione discreti viri Willelmi Mure presbiteri dicte nostre diocesis publici apostolica auctoritate notarii munitas Nobis ex parte dictorum ballivorum consulum et communitatis dicti burgi de Irrvin presentatas Nos cum ea qua decuit reverentia noveritis recepisse hujusmodi sub tenore Universis et singulis sancte matris ecclesie filiis ad quorum noticias presentes litere pervenerint Johannes Mure et Johannes Houstoun ballivi necnon consules et communitas burgi de Irrvin Glasguensis diocesis salutem in omnium Salvatore Nuper capellania perpetua capelle beatissime Marie semper Virginis de Bank nuncupate per obitum bone memorie domini Johannis Boyde ultimi dum viveret capellani et possessoris ejusdem extra Romanam curiam defuncti vacante Cujusquidem capellanie presentatio donatio et omnimoda dispositio quotiens eam vacare contigerit ad nos et pro tempore existentes ballivos consules et communitatem dicti burgi de Irrvin pleno jure spectare dinoscitur Nos ne dicta capellania propter ejusdem vacationem aliquatenus incommoda patiatur de bono et fideli ac ydoneo capellano inibi ministraturo providere statuimus Quocirca in pretorio dicti burgi nos personaliter congregati et in eodem pro tribunali sedentes dictam capellaniam capelle beate Marie de Bank prenominatam sic ut premittitur vacantem cum illius connexis et annexis ac universis terris juribus et pertinentiis discreto viro Magistro Thome Scott presbitero Glasguensis diocesis sufficienti et ydoneo presenti et acceptanti dedimus donavimus et contulimus prout presentium tenore eandem omnibus melioribus modo via forma jure et causa quibus melius et efficatius possumus et debemus conferimus damus et donamus per eum quoad vixerit pacifice et absque omni interruptione possidendam Et ut hec nostra donatio vim valide et efficacis ac pure donationis obtineat vos Reverendissimum in Christo patrem et dominum Gavinum miseratione divina Archiepiscopum Glasguensem nostrum ordinarium enixe in Domino et attente rogamus quatenus donationem nostram predictam de dicta capellania capelle Beate Marie de Bank in persona dicti Magistri Thome presbiteri per nos rite factam gratam et ratam habere Eamque in singulis suis punctis et articulis cum juris et facti defectuum suppletione si qui in eadem quovismodo interveniebant seu intervenerint ordinaria vestra auctoritate approbare ratifficare et confirmare Aliasque et alia facere gerere et exercere que circa negotium hujusmodi necessaria fuerint seu etiam quomodolibet oportuna de gratia speciali dignemini. In quorum omnium et singulorum fidem et testimonium premissorum presentes literas patentes sive hoc presens publicum instrumentum donationem nostram predictam in se continentes sive continens exinde fieri et per notarium publicum subscriptum ad hoc rogatum subscribi et publicari mandavimus sigillique communis dicti nostri burgi jussimus et fecimus appensione communiri Datum et actum in nostro pretorio de Irrvin nobis inibi congregatis et ad judicia reddenda et causas audiendas pro tribunali sedentibus sub anno incarnationis dominice millesimo quingentesimo vigesimo octavo die vero vigesimo octavo mensis Julii indictione prima pontificatus sanctissimi in Christo patris et domini nostri domini Clementis divina providentia Pape septimi anno quinto presentibus ibidem honorabilibus viris Wilelmo Berclay de Peristoun Jacobo Broun Johanne Broun Jacobo Eskdale burgensibus dicti burgi domino Georgio Baxtar capellano notarioque publico et Johanne Symontoun cum diversis aliis testibus ad premissa vocatis pariterque rogatis Sequitur subscriptio notarii rogati Et ego vero Willelmus Mure presbiter Glasguensis diocesis antedicte publicus sacra auctoritate apostolica notarius Quia premissis omnibus et singulis dum sic ut premittitur agerentur et fierent unacum prenominatis testibus presens interfui eaque sic dici et fieri vidi et audivi ac in notam sumpsi Ideoque hoc presens donationis ac provisionis instrumentum publicum de mea manu fideliter perscriptum exinde confeci subscripsi publicavi et in hanc publicam formam redegi signoque et nomine meis solitis et consuetis me subscribente cum appensione sigilli communis antedicti burgi signavi in fidem robur et testimonium veritatis premissorum omnium et singulorum rogatus et requisitus Post quarumquidem literarum presentationem et receptionem nobis et per nos ut premittitur factas fuimus ex parte dictorum ballivorum consulum et communitatis dicti burgi de Irrvin necnon dicti Magistri Thome capellani debita cum instantia pro premissorum omnium et singulorum subsistentia firmiori requisiti quatenus donationem et collationem dicte capellanie capelle Beate Marie de Bank nuncupate per eos ut premittitur in personam dicti Magistri Thome Scott presbiteri tanquam persone ad hoc habilis et ydonee legittime factas approbare ratifficare et confirmare omnesque et singulos tam juris quam facti defectus si qui in donatione hujusmodi et literis desuper confectis quovismodo intervenerint suppleri necnon alia in premissis necessaria et oportuna facere et exercere de ordinaria nostra auctoritate dignaremur Nos igitur Gavinus Archiepiscopus antedictus attendentes requisitionem hujusmodi fore justam et rationi consonam desideriisque propterea justa petentium congruo favore persequentes in votis eorum que a rationis tramite non discordant libenter exhibentes nos propitios et benignos comperimus donationem dicte capellanie in persona dicti Magistri Thome Scott ut premittitur rite et canonice fuisse et esse factum Et propterea donationem eandem literasque preinsertas desuper confectas in omnibus et singulis suis punctis et articulis modis et circumstantiis forma pariter et effectu ut premissum est auctoritate nostra ordinaria duximus approbandas ratifficandas et confirmandas prout harum serie prefata auctoritate ac omnibus melioribus modo via forma jure et causa quibus melius et efficatius possumus et debemus pro nobis et successoribus nostris approbamus ratifficamus et confirmamus omnesque et singulos tam juris quam facti defectus si qui in premissis et literis desuper confectis quovismodo intervenerint prefata auctoritate supplemus In cujus rei testimonium presentibus manu nostri secretarii subscriptis sigillum nostrum rotundum jussimus appendi apud Edinburgh die secunda mensis Novembris anno Domini millesimo quingentesimo vigesimo octavo et nostre consecrationis anno quarto, etc.

Per dictum Reverendissimum dominum Archiepiscopum.

Jo. Lauder, *Secretarius.*

[Seal rather defaced.]

Abstract.

Confirmation by Gavin Archbishop of Glasgow, of Letters of Presentation granted by John Mure and John Houstoun, bailies of Irvine, and by the councillors and community thereof, in favour of Mr. Thomas Scott, presbyter of the diocese of Glasgow, to the chaplaincy of the chapel of the Virgin Mary commonly called of Bank, vacant by the decease of Sir John Boyd, last chaplain thereof: The letters were granted in the Court-house of Irvine, in form of Notarial Instrument, attested by William Mure, notary, on 28th July 1528, in presence of William Barclay of Peirstoun, James Broun, John Broun, James Eskdale, burgesses of Irvine, Sir George Baxter, notary, and John Symontoun, witnesses; and confirmed at Edinburgh on 2d November 1528.

13. *Confirmation by King James the Fifth of Mortification by Alexander Scott, Provost of Corstorphine, of certain lands, etc., for support of a Chaplain in the Parish Church of Irvine.*—10th *February* 1540-1541.

Jacobus Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos quandam cartam donationis concessionis assignationis et fundationis per dilectum clericum et oratorem nostrum Alexandrum Scott prepositum de Corstorphin factam in honorem et laudem dive Trinitatis patris et Filii et Spritus sancti gloriose virginis Marie Sanctorum Johannis Baptiste Christoferi marthiris et Niniani episcopi etc. In sublevamen et sustentationem unius perpetue capellanie capellani et suorum successorum capellanorum pro perpetuo divina servicia celebrantium apud altare dicti Sancti Johannis Baptiste Christoferi marthiris et Niniani confessoris infra burgum nostrum de Irwin situatum pro salute animarum in dicta carta specificatarum de terris acris rudis sive carucatis tenementis annuis redditibus subscriptis infra burgum nostrum de Irwin predictum et libertatem ejusdem jacentibus Videlicet de uno annuo redditu viginti solidorum monete regni nostri annuatim percipiendorum de una terra templaria cum Crofto ejusdem jacenti infra dictum nostrum burgum apud orientalem partem Vinelle Smedebar nuncupate inter terram quondam Thome Powa ex occidentali terram quondam Laurencii Legat ex orientali communem viam ex australi et terras Bogflattis nuncupatas ex boreali partibus ab una et alia Et de una terra sive tenemento cum orto et cauda ejusdem discendente ad cimiterium dicti nostri burgi inter terram quondam Gilberti Morice ex orientali terram quondam Roberti Millare ex occidentali et communem viam ex boreali partibus Ac etiam de diversis aliis terris tenementis acris rudis et annuis redditibus infra dictum nostrum burgum unoquoque eorum per seipsos in dicta carta specificato et limitato cum omnibus firmis et devoriis eorundem de mandato nostro visam lectam inspectam et diligenter examinatam Sanam integram non rasam non cancellatam nec in aliqua sui parte suspectam ad plenum intellexisse sub hac forma OMNIBUS hanc cartam visuris vel audituris Alexander Scott prepositus de Corstorphin eternam in Domino salutem Notum sit universitati vestre quod ego Alexander antedictus superno fretus auxilio zeloque summe devotionis accensus ac intenturo sincere caritatis inductus ad salutem anime mee peccatoris et paupercule promovendam votis ardentibus totus aspirans cupiens utique terrena in celestia ac momentania et transitoria in eterna felici commercio commutare ad Sancte et individue Trinitatis Patris et Filii et Spiritus Sancti intemerate et gloriose Virginis Marie beatorum Johannis Baptiste Cristoferi Marthiris et Niniani pontificis sed et sanctorum omnium laudem gloriam et honorem in divini cultus augmentum sacerdotum et pauperum Christi subventionem Et pro animabus excellentissime memorie regum omnium Scotorum nostri regis Jacobi quinti moderni progenitorum et antecessorum illustrissimorum proque felici et prospero statu ipsius regis Jacobi et Marie regine charissime consortis sue Et pro animabus suis cum ab hac luce migraverint heredum et successorum suorum omnium Necnon pro anime mee et animarum patris matris fratrum sororum parentum consanguineorum amicorum benefactorum parrochianorum meorum eorumque omnium et singulorum a quibus bona quevis in vita suscepi que nec officio nec beneficio plene compensavi omniumque fidelium animarum tam vivorum quam defunctorum ope salute et levamine unam capellaniam perpetuam cum capellano etiam perpetuo intra parrochialem ecclesiam burgi de Irwin in et ad altare Sanctorum Johannis Baptiste Cristoferi marthiris et Niniani pontificis predictorum in navi antedicte ecclesie situm et locatum divina celebrante suisque successoribus imperpetuum ad idem altare celebraturis de terris tenementis fructibus et annuis redditibus infrascriptis juxta modum et formam quibus infra sit mencio ad perpetuam rei memoriam de novo fundavi creavi eregi constitui et ordinavi prout tenore presentis carte mee fundo creo erigo constituo et ordino Ad cujusquidem capellanie firmiorem subsistenciam et perpetuam manutentionem et capellani et suorum successorum capellanorum in eadem instituendorum congruam et debitam sustentationem et alimentationem Necnon ad hujusmodi altaris et ornamentorum ejusdem domorumque et edificiorum ipsi capellanie annexorum et pertinencium reparationem edificationem et sustentationem insuper et aliorum omnium ejus supportationem annuam atque in ipsius capellanie perpetue dotem terras tenementa domos census redditus et possessiones quas ipse de bonis michi a Deo collatis divina operante virtute et gratia dudum conquestavi et de quibus omnibus jam pridem sasivi et investivi ecclesiam Dei quam in hiis scriptis inde facio constituo et ordino assignatum meum specialem verum et indubitum cum omnibus et singulis juribus actionibus et modis in hac parte michi competentibus dedi et assignando imperpetuum concessi atque in liberam puram et perpetuam elimosinam qua nulla infra regnum Scotie liberius datur aut conceditur donavi erogavi assignavi et hac presenti carta mea confirmavi prout etiam tenore presencium do et assignando' imperpetuum concedo et hac presenti carta mea confirmo prefatis altari capellanie et capellano ac suis successoribus capellanis ad dictum altare divina celebrantibus et imperpetuum celebraturis cum universis suis libertatibus commoditatibus et asiamentis ac justis suis pertinenciis quibuscunque In primis videlicet unum annuum redditum viginti solidorum de una terra templaria cum crofta ejusdem jacente infra dictum burgum de Irwin ex orientali parte vinelle dicte Smedebar inter terram quondam Thome Powa ex occidentali et tenementum sive terram quondam Lawrencii Legat ex orientali et communem viam ex australi et terras dictas le Bogflattis ex boreali annuatim levandorum et percipiendorum: Item unum tenementum sive terram cum orto et cauda ejusdem discendens ad cimiterium dicti burgi inter terram quondam Gilberti Moris ex orientali et terram quondam Roberti Millare ex occidentali et communem viam ad boriam: Item unam rodam terre jacentem infra dictum burgum inter terram magistri Johannis Scott ex occidentali et terram vocatam Barbouris Rig ex orientali: Item tres rodas terrarum ibidem jacentes inter terras Johannis Houstoun ex parte una et terram quondam Johannis Pill ex parte altera: Item unum annuum redditum tresdecim solidorum et quatuor denariorum de tenemento et cauda dictis Stouttisland inter tenementum Willelmi Reid ex australi et vinellam que ducit ad aquam de Irwin ex boreali: Item unam peciam terre culte jacentem prope pontem de Irwin inter terram Johannis Broun junioris ex boreali parte et communiam prope dictum pontem ex parte australi: Item unum annuum redditum decem solidorum prope Tronum dicti burgi inter terram Jacobi Boyd ex occidentali et terram quondam Roberti Caldwell ex orientali: Item unum annuum redditum duodecim denariorum de duobus tenementis quondam Johannis Broun jacentibus inter terram quondam Roberti Caldwell ex occidentali et terram quondam Jacobi Esdaill ex orientali: Item unum annuum redditum quatuor solidorum de duobus tenementis quondam Johannis Henry contigue adjacentibus inter terram quondam Johannis Scott ex occidentali et terram quondam Johannis Portar ex orientali: Item unum redditum quatuor solidorum de tenemento quondam Alani Houstoun inter terram Jacobi Boid ex occidentali et terram altaris Sancti Petri ex orientali: Item unum annuum redditum viginti octo denariorum de tenemento Johannis Hall in le Grip inter terram quondam Georgii Brokell ex una et terram quondam Alani Hay partibus ab altera: Item unum annuum redditum quatuor solidorum de terra et orto Niniani Boill in via marina inter aliam terram dicti Niniani ex occidentali et tenementum quondam Hugonis Dunlop ex orientali Item unam rodam terre jacentem prope ecclesiam inter terram Magistri Thome Scot ex australi et terram Roberti Scot ex boreali: Item unum annuum redditum trium solidorum de tenemento quondam Jacobi Michell jacente inter tenementum comitis de Eglingtoun ex una et terram Jacobi Craufurde de Bathlame partibus ab altera: Item duas acras terrarum jacentes infra dictum burgum inter terram quondam Willemi Ros ex orientali et terram Magistri Johannis Scott ex occidentali: Item alias duas acras terrarum jacentes ibidem inter tenementum et horreum Johannis Quhite ex parte orientali et tenementum sive terras Johannis Ross ex parte occidentali: Item unum annuum redditum quatuor solidorum de terra sive tenemento Thome Hunter inter terram Roberti Lowry ex occidentali et terram Magistri Johannis Scott ex orientali: Item unum annuum redditum decem solidorum de tenemento Johannis Bauly inter terram domini de Caldwell ex boreali et terram Ade Wilsoun ex australi et communem viam ex orientali: Item unum annuum redditum decem solidorum de quadam terra templaria infra dictum burgum jacente inter terram Georgii Broket ex parte orientali et vinellam dictam Monkmosart ex occidentali et communem viam que ducit ad pontem ex parte boreali Tenendas et habendas omnes et singulas terras annuos redditus et tenementa Deo omnipotenti beatissime Virgini Marie matri sue beatis Johanni Baptiste Cristoferi martiri et Niniano pontifici omnibusque sanctis in liberam puram et perpetuam elimosinam et ad manum mortuam in feodo et hereditate imperpetuum cum omnibus et singulis libertatibus commoditatibus proficuis et asiamentis ac justis suis pertinenciis quibuscunque ad predictas terras annuos redditus et tenementa cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut alique terre annui redditus aut tenementa infra regnum Scotie alicui altari et capellano perpetuo et puram et perpetuam elimosinam ac piis usibus liberius dantur conceduntur aut dari seu concedi poterunt quomodolibet in futurum sine aliquo retinemento revocatione contradictione aut obstaculo aliquali Ex hiis reservatis michi et ceteris supra nominatis divinarum dumtaxat omnium suffragia unacum patronatu dicti capellanie et omnimoda provisione et dispositione ejusdem ac institutione capellani in eadem quoad vixero et postquam tristi carnis onere deposito ex hac migravero lacrimarum valle constituo et ordino prepositum ballivos et consules burgi de Irwin capellanie predicte patronum unicum qui si quidem patronus ad eandem capellaniam infra quindecim dies post illius vacationem domino archiepiscopo Glasguensi pro tempore existenti seu ejus vicariis in spiritualibus capellanum sacro presbiteratus ordine preditum de genere et sanguine meo pre aliis alieni sanguinis in cantu saltem Gregoriano sufficienter instructum scientia moribus et vita laudabili alias ydoneum nulloque publico vicio aut notorio crimine defamatum instituendum et providendum presentare teneatur quod si contingat patronum antedictum infra dictum quindecim dierum spacium ad capellaniam neminem ydoneum presbiterum ut sit qualificatum presentare preficiendum ipsius capellanie collatio pro tunc et illa dumtaxat vice ad prefatum dominum archiepiscopum pleno jure devolvatur Ita tamen quod per hoc eidem patrono vicibus aliis presentandi facultas omnino non negetur Quequidem capellanus sic institutus et provisus in predicto burgo de Irwin personalem et continuam faciat residenciam et in choro ejusdem super pellicio indutus unacum reliquis chori presbiteris diebus illis universis quando et quociens ibidem in divinis contigerit decantari cantando intersit jugiter et officiando cum eisdem chori presbiteris in chori officio et lucro ejusdem per omnia communicaturus sic quod per talem cantandi et officiandi necessitatem missas apud jam dictum altare quolibet die celebrare non omittat et predictum altare debitis missarum propterea non fraudetur obsequiis sed quod in ipsomet altari quotidie cum dispositus fuerit de per se absque substituti cujusque auxilio missas divinas pro animabus omnibus superius expressatis circiter horam septimam de mane celebret et officium suum ibidem piam commemorationem pro animabus eisdem tunc facturus devota mente perficiat et prosequatur atque statim post quamlibet missam ibi celebratam sacerdotalibus sacris ad huc indutus derigens aspectum versus locum sepulcri majorum meorum psalmum de profundis et in fine versiculum requiescant in pace et Domine exaudi orationem etc., et clamor et etc., oremus cum collecta absolve quesimus animas etc., cum aspersione aque benedicte unacum *placebo* et *dirige* cum novem lectionibus pro animabus premissis cujusque septimane omni sexta feria vel alia qualibet ad hec electa solus et de per se aut alteri sociatus honesto devote etiam dicat et celebrare teneatur Preterea volo et ordino quod ex predictis fructibus censibus et redditibus tresdecim solidi et quatuor denarii per capellanum antedictum in deposito singulis annis seorsum servandi expendantur super reparatione et sustentatione domorum edificiorum tectorum et ornamentorum capellanie et altaris predictorum sub solerti semper cura et custodia annua dicti capellani studiose commendandorum et honorifice tractandorum et conservandorum de cujusquidem impensa cura custodia et administratione in hac parte facta et exhibita memorato patrono compotum quotannis et rationem reddere teneatur ac hoc ut de ipsius patroni consilio et deliberatione prehabita Excrescens inde summam ad reparationem et sustentationem eandem solum et insolidum cedat et dispensetur Quodque die obitus mei et deinceps imperpetuum in die mei anniversarii fiant et celebrentur exequie mortuorum et missa de requie in crastino cum nota et novem lectionibus per meum et reliquos chori capellanos eosdem pro anima mea et pre expressatis animabus cum campanis ipsius ecclesie quam campanella manuali et portatili per villam pulsatis cereisque lucernis superpositis scabello super tumulum majorum meorum ea de causa de more locato stragula vel capite vestito exequiarum toto durante officio lucentibus et ardentibus vocatis insuper ad hujusmodi obsequias et electis per patronum et capellanum antedictos communiter tresdecim pauperibus patribus et matribus familias dicti burgi presertim indigentibus ad quarumquidem exequiarum et omnium ejus sustentationem et persecutionem lego et legando annuatim assigno unicuique scilicet et predictis capellanis qui etiam tenebuntur eodem die apud dictum altare singillatim et per se unusquisque missam celebrare duodecim denarios in mercedem laborum atque unicuique ex predictis pauperibus tresdecim denarios ad alimoniam cibi et potus primitus applicandos hoc est dictu cuilibet eorum quinque nummatas panis quatuor nummatas carnium aut piscium et totidem nummatas cervisie Item pro comparatione et factura cere tres solidos ac sacriste magnas ecclesie campanas pulsanti et regenti octo denarios et portatori campane portatilis et manualis quatuor denarios per manus ejusdem capellani in die anniversarii mei singulis quibuscunque annis sine fraude dispensandos et distribuendos de reliquis vero dicte capellanie fructibus censibus et redditibus volo et ordino quod capellanus antedictus qui pro tempore fuerit per se ac victu et usu suo annuatim in burset habeat et retineat quindecim marcas Ceterum volo statuo et ordino et hac presenti pagina perpetuo valitura protestor coram Deo et decerno quod si forte quod absit contingat capellanum eundem concubinam aliquam aut focariam publice detinere seu cohabitare seu tabernas taxillos meretricum prostibula aut noctivagia aliquam forte frequentare seu rixis brigis aut jurgiis publice sese quoquomodo immiscere seu quasvis alias insolencias aut perperos mores clericali honestati notam aut maculam impingere valentes aliquatenus consuescere et proinde in excessibus delatum et notatum non posse sese legitime purgare aut capellanum eundem corporis sui sanitate potitum et morbo non laborantem cessare per quindecim dies continuos a missarum celebratione apud jam dictum altare aut totidem quindecim dierum spacio abesse burgo predicto et ibidem ut premittitur personaliter non residere nisi vite necessitatis aut mortis timor probabilis absencie tempus prorogare monuerit seu aliud quodcunque sive duplex sive simplex beneficium officium aut servicium ecclesiasticum assequi et obtinere licet memorati patroni aut cujusvis alterius licencia tollerancia indulgencia seu dispensatione etiam apostolica desuper obtenta sese suffultum et vallatum ostenderit per quasquidem licencias tollerancias indulgencias et dispensationes aut quamlibet earum hanc presentem fundationem et voluntatem meam expressatam in ea violari et infringi in aliquo aut illis quovismodo obviari seu derogari Nec volo nec statuo nec ordino sepefata capellania eo ipso nulla premissa citatione nullaque interveniente judicis censura sentencia precepto aut decreto censeatur vacare et ipso facto vacet alteri prisbitero idoneo ut supra per omnia qualificato servatis semper ad unguem quibus supra servandis libere disponenda et providenda demum volo et ordino pretaxatam capellaniam de novo fundatam omni beneficio officio et servicio ecclesiastico sive perpetuo sive temporali incompatibilem fore Et ego vero predictus dominus Alexander Scott heredes mei et assignati omnes et singulas terras tenementa annuos redditus et domos cum pertinenciis Deo omnipotenti beatissimeque Virgini Marie matri sue et beatis Johanni Baptiste Cristofero martiri Niniano episcopo ad sustentationem dicti capellani perpetui et alios pios usus suprascriptos et successorum suorum capellanorum ad predictum altare divina celebrantium et imperpetuum celebraturorum in puram et perpetuam elimosinam et ad manum mortuam adeo libere et quiete in omnibus et per omnia forma pariter et effectu ut premissum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus. In cujus rei testimonium huic presenti fundationis pagine et carte mee manu mea subscripte sigillum meum est appensum unacum sigillo communi dicti burgi de Irwin apud dictum burgum quarto die mensis Octobris anno Domini millesimo quingentesimo quadragesimo Coram hiis testibus Willelmo Cunynghame de Cunynghamcheid Petro Ramsay burgensi de Dunde domino Georgio Richardsoun vicario de Kilgour Willelmo Scot juniore Alano Kile Jacobo Boid burgensi de Irwin dominis Roberto Paterson et Johanne M'Gathan notario publico cum diversis aliis Quamquidem cartam nos attendentes non solum factam et capellaniam fundatam in contemplationem et pro salute animarum dicti Alexandri suorum parentum consanguineorum amicorum et benefactorum sed principaliter pro salute animarum nostri nostrorum progenitorum et successorum Et pro prospero et felici statu nostri Marie consortis nostre quam diu in hac vita vivimus et pro quiete et salute animarum nostrarum quando ab eadem egrediemur idcirco nos ex nostris potestate et regali autoritatibus pro nobis et successoribus nostris eandem cartam donationem concessionem assignationem et fundationem ac omnia et singula in eadem contenta in omnibus suis punctis et articulis condicionibus modis statutis regulis et observanciis ac circumstanciis suis quibuscunque in omnibus et per omnia forma pariter et effectu ut prescriptum est approbamus ratificamus admortizamus ac pro nobis et nostris successoribus ad manum mortuam pro perpetuo confirmamus salvis nobis et successoribus nostris devotarum orationum suffragiis dictorum capellanorum et suorum successorum tantum In cujus rei testimonium huic presenti carte nostre confirmationis et admortizationis magnum sigillum nostrum apponi precepimus Testibus reverendissimo ac reverendo in Christo patribus Gawino Glasguensi archiepiscopo cancellario nostro Henrico episcopo Candide case nostreque capelle regie Strivelingensis dilectis nostris consanguineis Jacobo Aranie comite domino Hammyltoun Archibaldo Ergadie comite domini Campbell et Lorne etc. Malcolmo domino Flemyng magno nostro camerario dilectis nostris familiaribus Thoma Erskin de Brechin milite nostro secretario Jacobo Kirkcaldy de Grange nostro thesaurario Davide Wod de Crag compotorum nostrorum rotulatore Magistris Jacobo Foulis de Colintoun nostrorum rotulorum registri ac consilii clerico et Thoma Bellenden de Auchnowle nostrarum justiciarie et cancellarie clerico ac directore apud Edinburgh

decimo die mensis Februarii anno Domini millesimo quingentesimo quadragesimo Et regni nostri vicesimo octavo.

TRANSLATION.

Confirmation by King James the Fifth, under the Great Seal, of the following charter: To all who shall see or hear this charter, Alexander Scott, provost of Corstorphin, greeting in the Lord everlasting: Be it known to all of you that I, the foresaid Alexander, trusting in the help of heaven, and inflamed with zeal of the highest devotion, and led by intent of sincere charity for furthering the salvation of the soul of me a sinner and very poor, with ardent desires wholly aspiring and certainly longing, by happy interchange to transmute worldly things for heavenly, and momentary and transitory things for eternal, to the praise, glory, and honour of the holy and undivided Trinity, Father and Son and Holy Ghost, the unstained and glorious Virgin Mary, Saints John the Baptist, Cristofer the Martyr, and Ninian the Pontiff, and also of all the saints, for the increase of divine worship, the assistance of priests, and of Christ's poor ones, and for the souls of all the Kings of Scots, of most excellent memory, of our King James the Fifth, now being, his most illustrious progenitors and predecessors, and for the happy and prosperous estate of the said King James, and Queen Marie his dearest consort, and for their souls when they shall have departed from this light, and of their heirs and all their successors, and for the help, salvation, and relief of my own soul, and the souls of my father, mother, brothers, sisters, forefathers, kinsmen, friends, benefactors, my parishioners, and of all and sundry those persons from whom I have received any good in life, which neither by office nor benefit I have fully recompensed, and of all faithful souls as well of the living as of the dead, have of new, for perpetual remembrance of the matter, founded, created, erected, constituted and ordained, likeas I by the tenor of my present charter do found, create, erect, constitute and ordain a perpetual chaplainry, with a chaplain also perpetual, within the parish church of the burgh of Irvine, celebrating divine service in and at the altar of St. John the Baptist, Cristofer the Martyr, and Ninian the Pontiff aforesaid, situated and placed in the nave of the foresaid church, and to his successors for ever to celebrate at the same altar, of the lands, tenements, fruits and annualrents underwritten, according to the manner and form mentioned beneath: For the firmer subsistence and perpetual maintenance of which chaplainry, and for the congruous and due support and aliment of the chaplain and his successors, chaplains to be appointed in the same, and for the reparation, building, and upholding of such altar and ornaments thereof, and of houses and buildings annexed and pertaining to the said chaplainry, and further for the yearly support of all others pertaining to it, and for the endowment of the said perpetual chaplainry, I have given, and by assigning for ever have granted, and in free, pure, and perpetual almsgift, than which none is more freely given or granted within the kingdom of Scotland, have gifted, bestowed, and assigned. and by this my present charter confirmed, as also by the tenor hereof I do give, and by assigning for ever do grant, and by this my present charter confirm, to the foresaid altar, chaplainry and chaplain, and his successors, chaplains, celebrating and for ever to celebrate divine service at the said altar, the lands, tenements, houses, maills, rents and possessions, which I have heretofore acquired from the goods bestowed upon me by God, by the operation of divine power and favour, and of all which I have already seised and invested the Church of God, which in these writings thereupon I make, constitute, and ordain my special, true, and undoubted assignee, with all and sundry actions and modes competent to me in that part, with their whole freedoms, commodities, and easements, and their right pertinents whatsoever: In the first, to wit, an annualrent of twenty shillings to be annually uplifted and taken from a Templar land with the croft thereof, lying within the said burgh of Irvine, on the east side of the vennel called Smedebar, between the land of the deceased Thomas Powa on the west, and the tenement or land of the deceased Laurence Legat on the east, and the common way on the south, and the lands called Bogflatts on the north: Also a tenement or land, with garden and tail thereof, going down to the cemetery of the said burgh, between the land of the deceased Gilbert Moris on the east, and the land of the deceased Robert Millare on the west, and the common way on the north: Also a rood of land lying within the said burgh, between the land of Master John Scott on the west and the land called Barbour's Rig on the east: Also three roods of land lying there, between the lands of John Houstoun on the one side and the land of the deceased John Pill on the other side: Also an annualrent of thirteen shillings and four pennies from the tenement and tail called Stouttsland, between the tenement of William Reid on the south and the vennel which leads to the Water of Irvine on the north: Also a piece of tilled land lying near the Bridge of Irvine, between the land of John Broun younger on the north side, and the commonty near the said bridge on the south side: Also an annualrent of ten shillings near the trone of the said burgh, between the land of James Boyd on the west and the land of the deceased Robert Caldwell on the east: Also an annualrent of twelve pennies from two tenements of the late John Broun, lying between the land of the deceased Robert Caldwell on the west and the land of the deceased James Esdaill on the east: Also an annualrent of four shillings from two tenements of the deceased John Henry, lying contiguous within the land of the deceased John Scott on the west and the land of the deceased John Portar on the east: Also an annualrent of four shillings from the tenement of the deceased Alan Houstoun, between the land of James Boid on the west and the land of the altar of St. Peter on the east: Also an annualrent of twenty-eight pennies from the tenement of John Hall in the Grip, between the land of the deceased George Brokell on the one side, and the land of the deceased Alan Hay on the other side: Also an annualrent of four shillings from the land and garden of Ninian Boill in the Seagate, between another land of the said Ninian on the west and the tenement of the deceased Hugh Dunlop on the east: Also a rood of land lying near the church, between the land of Master Thomas Scot on the south and the land of Robert Scot on the north: Also an annualrent of three shillings from the tenement of the deceased James Michell, lying between the tenement of the earl of Eglingtoun on the one side and the land of James Craufurde of Bathlame on the other side: Also two acres of land lying within the said burgh, between the land of the deceased William Ross on the east and the land of Master John Scott on the west: Also other two acres of land lying there, between the tenement and barn of John White on the east side and the tenement or lands of John Ross on the west side: Also an annualrent of four shillings from the land or tenement of Thomas Hunter, between the land of Robert Lowry on the west and the land of Master John Scott on the east: Also an annualrent of ten shillings from the tenement of John Bauly, between the land of the laird of Caldwell on the north, and the land of Adam Wilsoun on the south, and the common way on the east: Also an annualrent of ten shillings from a certain Templar land within the said burgh, lying between the land of George Broket on the east side, and the vennel called Monkmosart and the common way that leads to the bridge on the north side: To be holden and had, all and sundry the lands, annualrents and tenements, to God Almighty, the most blessed

Virgin Mary his mother, Saints John the Baptist, Cristofer the Martyr, and Ninian the Pontiff, and all the saints, in free, pure, and perpetual alms, and in mortmain, in fee and heritage for ever, with all and sundry freedoms, commodities, profits and easements, and their right pertinents whatsoever, belonging or that may justly belong in any manner of way in time to come to the foresaid lands, annualrents, and tenements, with the pertinents; and as freely, quietly, fully, wholly, honourably, well and in peace, in all and by all, as any lands, annualrents or tenements within the kingdom of Scotland are most freely given, granted, or may be given or granted in any manner of way in time to come, to any altar and perpetual chaplain, and in pure and perpetual alms, and to pious uses, without any hindrance, revocation, gainsaying or obstacle whatsoever: From these, reserving to me and the others abovenamed, the suffrages of all divine services only, together with the patronage of the said chaplainry, and all provision and disposition of the same, and institution of the chaplain in the same, so long as I shall live; and when, the sad load of the flesh having been laid down, I shall have departed from this valley of tears, I constitute and ordain the provost bailies and councillors of the burgh of Irvine sole patron of the foresaid chaplainry: Which patron shall be bound to present, to be instituted and provided to the said chaplainry within fifteen days after its becoming vacant, to the Lord archbishop of Glasgow for the time being, or to his vicars in spiritual things, a chaplain endowed with the sacred order of priesthood, of my own kindred and blood in preference to others of foreign blood, sufficiently instructed in the Gregorian chant, at least of laudable knowledge, otherwise suitable in manners and life, and defamed with no public vice or notorious crime: But if it happen the foresaid patron, within the said space of fifteen days, to present to be appointed to the chaplainry no fit priest as is specified, the collation of the said chaplainry then and for that time only shall devolve, by full right, to the foresaid lord archbishop; nevertheless, so as thereby the power of presentation shall by no means be denied the said patron on other occasions: Which chaplain so instituted and provided shall make personal and continual residence in the foresaid burgh of Irvine, and shall be always present clothed with a surplice, and chanting in the choir of the same, together with the other priests of the choir on all those days when and how oft it shall happen there to be chanted in divine service, and participating in officiating with the said priests of the choir in the duty of the choir and emolument thereof in all things, so as by such necessity of singing he shall not neglect every day to celebrate the masses at the altar aforesaid, and that the foresaid altar shall not be thereby defrauded of the due obsequies of masses, but daily at the said altar, when disposed, by himself and without assistance of any substitute, he shall celebrate masses for all the souls above expressed about the seventh hour of the morning; and shall perform and fulfil his office thereat with a devout mind, then doing pious commemoration for the said souls; and immediately after every mass there celebrated, still clad with the sacred priestly robe, directing his looks towards the place of sepulchre of my ancestors, alone and by himself, or associated with another, he shall be bound honestly and devoutly to say and sing the psalm *de profundis*, and in the end the verse, *Requiescant in pace;* and *Domine exaudi orationem*, etc., et *Clamor et*, etc. *Oremus* cum collecta *Absolve quesimus animas*, etc., with sprinkling of the holy water, together with *placebo* and *dirige*, with nine lessons for the souls aforesaid, on every sixth weekday of every week, or any other day chosen for this: Moreover, I will and ordain that out of the foresaid fruits, maills, and rents, thirteen shillings and four pennies, laid aside every year by the foresaid chaplain, shall be expended on the repair and upholding of the houses, buildings, roofs, and ornaments of the chaplainry and altar aforesaid, always to be carefully taken charge of and honourably treated and preserved under the skilful care and yearly custody of the said chaplain: Of which expenditure, care, custody, and administration, in this behalf done and exhibited, he shall be bound to render yearly an account and statement to the foresaid patron; and this in order that, by the counsel and deliberation of the said patron before obtained, he may wholly and together yield and expend the amount accruing therefrom towards the said repair and maintenance: And that on the day of my death, and thereafter for ever on the day of my anniversary, the exequies for the dead shall be made and celebrated, and a mass of requiem on the morrow, with note and nine lessons, by mine and the said other chaplains of the choir, for the souls before expressed, with the bells of the said church, both campanile, hand, and carried, rung through the town, and waxen candles for this purpose set, according to custom, upon the pedestal over the tomb of my ancestors, or on the top covered with fine cloth, shining and burning during the whole office of the exequies; there being moreover called to such exequies, and chosen by the patron and chaplains aforesaid in common, thirteen poor persons, fathers and mothers of families of the said burgh, especially the indigent: To the support and performance of which exequies and all parts thereof I bequeath, and by bequeathing annually assign to every one, that is to say of the foresaid chaplains, who shall be also bound on the same day at the said altar, one by one, and *per se* every one of them, to celebrate a mass, twelve pennies, in fee of their labours; and to every one of the foresaid poor persons thirteen pennies, to be applied first for aliment of food and drink, that is to say, to every one of them five pennyworth of bread, four pennyworth of flesh or fish, and as many pennyworths of ale: Also for the preparing and making of wax three shillings; and to the sacristan tolling and directing the great bells of the church eight pennies; and to the bearer of the portable and hand bell four pennies, to be dispensed and distributed by the hands of the said chaplain on the day of my anniversary, every several year, without fraud: And of the rest of the fruits, revenues, and rents of the said chaplainry I will and ordain that the foresaid chaplain, who shall be for the time, by himself shall have and retain in purse fifteen merks for food and for his own use: Further, I will and ordain, and by this my present page to endure for evermore, protest before God, and decern, that if peradventure it shall happen, as God forbid, that the said chaplain shall publicly keep or cohabit with any concubine or loose wench, or frequent taverns, dicing, prostitutes, harlots, or any one perchance night-walking, or in anyway mingle with brawlings, branglings, or disputes in public, or anyhow be accustomed to any other insolencies or debauched manners that may cast a note or stain upon the clerical honour, and thereupon being delated and noted in excesses, and not able lawfully to purge himself; or that the said chaplain, being possessed of soundness of body, and not labouring under disease, shall cease for fifteen continuous days from celebration of masses at the already mentioned altar, or for the space of the same number of fifteen days be absent from the foresaid burgh, and not reside there personally as aforesaid, unless necessity of life or fear of probable death shall have moved him to prolong the time of his absence; or shall seek and obtain any other benefice, office, or ecclesiastical service, whether double or single, albeit he show himself fortified and supported by license, tolerance, indulgence of the foresaid patron or of any other, or even the apostolic dispensation obtained thereupon, by which licenses, tolerances, indulgences, and dispensations, or any one of them, I will, statute, and ordain this present foundation, and my will expressed in it, to be in no way violated and infringed or by them in any way obviated or impaired, the said chaplainry by the fact itself, with no previous citation and intervening censure, sentence, precept, or decreet of a judge, shall be considered to be vacant, and *ipso facto* shall become vacant, freely to be disposed and provided to another fit priest, in all things qualified as above; reserving always to the nail what is above reserved: Finally, I will and ordain that the foresaid chaplainry, founded of new, shall be incompatible with all benefice, office, and ecclesiastic service, whether perpetual or temporary: And I truly, the foresaid Sir Alexander Scott, my heirs and assignees, shall warrant, acquit, and for ever defend, all and sundry the lands, tenements, annualrents and houses, with the pertinents, to God Almighty, and the most blessed Virgin Mary his mother, and Saints John the Baptist, Christopher the Martyr, Ninian the bishop, for the maintenance of the said perpetual chaplain, and other pious uses abovewritten, and of their successors, chaplains celebrating and for ever to celebrate divine service at the foresaid altar, in pure and perpetual alms and in mortmain, as freely and quietly in all and by all, alike in form and effect as aforesaid, against all mortals: In witness whereof to this my present writ of foundation and charter subscribed with my hand, my seal is appended, together with the common seal of the said burgh of Irvine, at the said burgh on the fourth day of the month of October, in the year of our Lord one thousand five hundred and forty, before these witnesses, William Cunynghame of Cunynghameheid, Peter Ramsay, burgess of Dundee, Sir George Richardsoun, vicar of Kilgour, William Scot, younger, Alan Kile, James Boid, burgess of Irvine, Sir Robert Paterson and Sir John M'Gathan, notary public, with sundry others. The King, considering that the charter was made and the chaplainry founded not only for the weal of the souls of the said Alexander, his parents, kinsmen, friends and benefactors, but principally for the weal of the souls of himself, his progenitors and successors, and for the prosperous state of himself and Marie his consort while living, and for the rest and weal of their souls when departed, therefore ratifies, mortifies, and in mortmain for ever confirms the said charter, gift, grant, assignation and foundation, and all and singular therein contained, reserving to him and his successors the suffrages of devout prayers of the said chaplains and their successors only: And commands his great seal to be appended: Witnesses, Gavin archbishop of Glasgow, chancellor, Henry bishop of Whithorn and of the Chapel Royal of Stirling; the King's beloved cousins James Earl of Arran, Lord Hammyltoun, Archibald Earl of Argyle Lord Campell and Lorne etc., Malcolm lord Flemyng, great chamberlain, the King's familiar servitors, Thomas Erskin of Brechin, knight, secretary, James Kirkcaldy of Grange, treasurer, David

Wod of Crag, comptroller, Master James Foulis of Colintoun, clerk of rolls Register and Council, and Master Thomas Bellenden of Auchnowle, clerk of justiciary and director of chancery: At Edinburgh the 10th of February the year of God 1540 and of the King's reign the twenty-eighth.

14. *Rental of Burgh of Irvine of All and Sundry Chaplainries, etc., formerly belonging to the Church.*—1542.

RENTALE Burgi de Irwin omnium et singularum Capellaniarum annuorum Reddituum annexorum altaribus et capellaniis situatis infra ecclesiam parochialem dicti burgi per laudibilem et optimam memoriam quondam predecessorum nostrorum dicti burgi zelo devocionis fundatorum Et nunc temporis receptorum et confirmatorum per prepositum Johannem Mure Robertum Scot et Robertum Twedye ballivos dicti burgi et consilium ac communitatem tocius oppidi In anno Domini millesimo quingentesimo quadragesimo secundo die vero mensis

Item in primis Rentale divorum Niniani et Kathrine nunc pertinentium domino Roberto Tempiltone et domino Thome Mur capellanis.

Item de uno tenemento quondam Alexandri Leys nuncupato vulgariter the Kanest jacente ad partem orientalem dicti burgi super vicum regium annuatim suscipiendi et levandi de dicto tenemento decem solidi monete regni ad duos anni terminos Penthecostes et Sancti Martini in hieme.

Item de uno tenemento Jacobi Auld quondam domini Thome Auld jacente infra dictum burgum inter tenementum domini Johannis Cambell rectoris de Killmalze ad orientem ab una et tenementum domini de Stane ad borientem ab altera partibus triginta denarii.

Item de uno tenemento Stephani Gammyll quondam David Conyghame de Robertland jacente inter tenementum Johannis Makcarrell ab una et tenementum Thome Smytht ab altera partibus de dicto tenemento annuatim levandi et recipiendi ad duos anni terminos Sancti Martini in hyeme et Penthecostes per equales portiones sex solidi et octo denarii.

Item de uno tenemento nunc Jacobi Scot quondam comitis de Glencarne nuncupato Roxburgh jacente infra dictum burgum inter tenementum quondam rectoris de Lochquhowe et tenementum Johannis due marce annuatim levande et recipiende ad duos anni terminos Sancti Martini in hyeme et Penthecostes per equales portiones quod tenementum nunc temporis habet hereditarie Stephanus Prestone ballivus de Ayre ut asseruit.

Item de uno tenemento dicti Johannis Houstone jacente infra dictum burgum inter tenementum predictum de Roxburgh nunc dicti Jacobi Scot ab una et Thome Smytht ab altera partibus annuatim levandi et recipiendi ad duos anni terminos per equales portiones Sancti Martini in hyeme et Penthecostes novemdecem solidi.

Item de uno tenemento dicti Thome Smytht jacente in dicto burgo inter tenementum predicti Johannis Houstowne ad unam partem et viam ecclesiasticam in cono ad alteram partem quatuor solidi.

Item octo solidi de tenemento Thome Scot junioris jacente infra dictum burgum inter tenementum Alexandri Thomsone in cono vie ecclesiastice tendentis ad cimetorium ab una et terras seu tenementum Sancti Trinitatis ab altera partibus.

Item decem solidi de predicto tenemento Alexandri Thomson jacente in dicto burgo inter tenementum dicti Thome Scot ad orientem ab una et communem vicum ecclesiasticum tendentem ad ecclesiam seu stilam ejusdem ad occidentem ab altera partibus.

Item de tenemento Essibelle Montgumry jacente infra dictum burgum inter tenementum Roberti Twedye ab una et communem vicum tendentem ad le Makmusarthill de dicto tenemento annuatim levandi et recipiendi ad duos anni terminos Penthecostes et Sancti Martini in hieme solitos et consuetos undecim solidi.

Item sex solidi octo denarii de tenemento Johannis Montgumry jacente in dicto burgo via ecclesiastica inter tenementum Thome Randell ad orientem ab una et tenementum Jacobi Browne junioris ad occidentem ab altera partibus.

Item de quodam proximo tenemento dicti Thome Randell quondam fratrum Carmelitarum de Irwin jacente infra predictum burgum inter tenementum dicti Johannis Montgumrye ad occidentem ab una et tenementum quondam Johannis Symontone capellani ab altera partibus octo solidi.

Item quinque solidi annui redditus de tenemento quondam Johannis Gluffar jacente in dicto burgo via ecclesiastica inter tenementum Willelmi Scot senioris et tenementum predicti Thome Randell.

Item triginta denarii annui redditus annuatim levandi et recipiendi de tenemento Roberti Twedye jacente in dicto burgo inter tenementum predicti Willelmi Scot ab una et tenementum Willelmi Pawtone juxta pretorium ab altera partibus.

Item de tenemento Johannis Baule quondam Thome Boyd in Kilmernok octodecim denarii fundalis annui redditus jacente infra dictum burgum inter tenementum Patricii Wilsone et tenementum domini de Cauldwell ab altera partibus.

Item de horreo seu tenemento infra dictum burgum inter terras Thome Scot super terras Makmowsarthill ad orientem et terras domini Johannis Makgaithane capellani rectoris de Kilblane ad occidentem duos solidos.

Item duodecim denarii de tenemento Jacobi Browne junioris quondam Johannis Mure de Brighend jacente infra dictum burgum inter terras nostre domine de Banco ab una et terris David Conyghame de Robertland ab altera partibus.

Item octo denarii de tenemento Allani Kyille quondam Thome Kile sui patris jacente infra dictum burgum inter tenementum Johannis Mure quondam prepositi de Irwin et tenementum et communem vicum ducentem ad viam marinam.

Item de tenemento Thome Robesone jacente infra dictum burgum via marina inter tenementum Niniani Boylle ab una et tenementum quondam Patricii Patersone ab altera partibus quatuor solidi annuatim levandi et recipiendi ad duos anni terminos consuetos et Sancti Martini in hieme per equales portiones.

Item quinque solidi de tenemento Johannis Mure in via marina jacente in dicto burgo inter tenementum dicti Johannes nunc tegulati ab una et tenementum Johannis Quhit quondam Johannis Irwin ab altera partibus.

Item quatuor solidi de tenemento Thome Robeson annui redditus annuatim levandi et recipiendi ad duos anni terminos Penthecostes et Sancti Martini in hieme per equales portiones de dicto tenemento jacente infra dictum burgum inter tenementum nobilis et potentis domini Heugonis comitis de Eglintone ab una et tenementum Egidie Thomson ad occidentem ab altera partibus.

Item sex solidi annui redditus de tenemento nobilis et potentis domini Heugonis comitis de Eglintone jacente in dicto burgo de Irwin inter tenementum

Item de tenemento Johannis Fultone jacente in dicto burgo inter tenementum Johannis Russall ab una et tenementum quondam Johannis Smytht nunc vero Alexandri Riche ab altera partibus de dicto tenemento annuatim levandi et percipiendi sex solidi et octo denarii.

Item de tenemento Johannis Pantone quondam domini Johannis Makge jacente in dicto burgo inter tenementum dicti Johannis Panton ab una et tenementum Willelmi Ranken ad boream ab altera partibus annuatim levandi et percipiendi tres solidi.

Item de tenemento Stephani Mure jacente in dicto burgo inter tenementum quondam Jacobi Browne ab una et tenementum dicti Johannis Pantone ab altera partibus tres solidi annui redditus.

Item sex solidi annui redditus annuatim levandi et percipiendi ad duos anni terminos de tenemento Georgii Pantone jacente in dicto burgo inter tenementum quondam Roberti Cauldwell nunc autem Jacobi Pantone ab una et tenementum Johannis Roys ab altera partibus sex solidi octo denarii.

Item de tenemento domini abbatis de Killwyning et ejus conventus nuncupato Loplie jacente in dicto burgo inter tenementum templarium Roberti Twedye ab una et aliud tenementum dicti abbatis et conventus de Killwyning ab altera partibus de dicto tenemento annuatim levandi et percipiendi ad duos anni terminos Penthecostes et Sancti Martini in hieme per equales portiones, viz. viginti quatuor solidi.

Item decem solidi annui redditus annuatim levandi et percipiendi de tenemento Johannis Quhit jacente in dicto burgo inter tenementum Stephani Trayne ad orientem et tenementum quondam Thome Boid nunc ejus heredis ab altera partibus.

Item quinque solidi annui redditus annuatim levandi et percipiendi de tenemento Johannis Symontone jacente infra burgum de Irwin inter tenementum Thome Gardiner ab una et tenementum Johannis Stirlynge ab altera partibus.

Item sex solidi annui redditus annuatim levandi et percipiendi ad duos anni terminos consuetos de tenemento dicti Thome Gardnar jacente in dicto burgo inter tenementum dicti Johannis Symonton ab una et tenementum Johannis Quhit ab altera partibus.

Item quatuor solidi annui redditus annuatim levandi et percipiendi ad duos anni terminos Penthecostes et Sancti Martini in hieme per equales portiones de tenemento Roberti Frances ab una et tenementum Jacobi Wilsone ab altera partibus.

Item quatuor solidi annui redditus de tenemento dicti Jacobi Wilsone jacente in dicto burgo inter tenementum predicti Roberti Frances ab una et tenementum quondam Nycholai Gardnar ab altera partibus.

Item sex solidi annui redditus annuatim levandi et percipiendi de tenemento dicti Nicholai Gardnar jacente in dicto burgo inter tenementum Jacobi Willsone ab una et tenementum quondam Thome Smyth ac communem vicum tendentem ad le Smyddebar ab altera partibus.

Item de una roda burgali Magistri Thome Scot jacente in dicto burgo inter tenementum Ade Galt ab una et terras Roberti Scot ab altera partibus annuatim levandi et percipiendi de dictis terris duodecim denarii per equales portiones.

Item quatuor Rode burgales jacentes in dicto burgo ad finem orientalem ejusdem inter tenementum ab una et terras *Sic.* Willelmi Scot junioris que terre quondam fuerunt domini de Cauldwell nunc autem cum pertinenciis pertinent dicto altari Sanctorum Niniani et dive Katherine ratione annexationis dicto altari cum eorum fructibus annexis et connexis ac omnibus et singulis emolumentis.

Rentale divi Altaris Nycholai.

Item octo solidi annui redditus annuatim levandi et percipiendi ad duos anni terminos Penthecostes et Sancti Martini in hieme per equales portiones de tenemento Willelmi Montgumrye de Stane jacente infra burgum de Irwin inter tenementum Jacobi Auld ab una et tenementum Johannis Makcarrell ab altera partibus.

Item quinque solidi annui redditus annuatim levandi et percipiendi ad terminos prescriptos de tenemento quondam Alexandri Myllar jacente in dicto burgo inter tenementum domini Alexandri Scot prepositi de Crostophin ab una et tenementum Johannis Quhit ab altera partibus.

Item sex solidi octo denarii annui redditus annuatim levandi et percipiendi ad terminos prescriptos de tenemento Willelmi Scot senioris jacente in dicto burgo inter tenementum Roberti Culper et communem venallem tendentem ad le Gryp ab altera partibus.

Item duodecim denarii de tenemento Jacobi Browne senioris jacente in dicto burgo inter tenementum quondam Andree Browne ab una et tenementum Roberti Mure ab altera partibus.

Item duodecim denarii fundalis annui redditus annuatim levandi et recipiendi ad duos anni terminos consuetos, viz. Sancti Martini in hieme et Penthecostes de toto et integro tenemento Johannis Pantone quondam domini Johannis Makghe jacente in burgo de Irwin inter tenementum Willelmi Rankene ab una et tenementum aliud ipsius Johannis ab altera partibus.

Item tres solidi annui redditus annuatim levandi et recipiendi ad terminos prescriptos per equales portiones de toto et integro tenemento Johannis Peblis jacente in dicto burgo inter tenementum Thome Deyne ab una et tenementum Roberti Scot ab altera partibus.

Item quatuor solidi annui redditus annuatim levandi et recipiendi ad terminos prescriptos de toto et integro tenemento Johannis Deyne jacente in dicto burgo inter tenementum Magistri Thome Scot sive Willelmi Scot ab una et tenementum Roberti Scot ab altera partibus.

Item de tenemento Roberti Huntar quondam Johannis Makgaithane jacente in dicto burgo inter tenementum Mathei Dunwedye ab una et tenementum Willelmi Trayne ab altera partibus annuatim levandi et recipiendi ad terminos prescriptos octodecim denarii.

Item sex solidi octo denarii annui redditus annuatim levandi et recipiendi de toto et integro tenemento Wynnini Multraye jacente in dicto burgo inter tenementum Thome Newyn quondam domini Willelmi Browne capellani ab una et tenementum quondam Adami Multraye ab altera partibus.

Item triginta denarii fundalis annui redditus annuatim levandi et percipiendi de tenemento Johannis Roys quondam Jacobi Esdell jacente in dicto burgo inter tenementum Georgii Pantone ab una et tenementum Willelmi Younge ab altera partibus.

Item sex solidi annui redditus annuatim levandi et percipiendi de tenemento Johannis Quhit jacente in dicto burgo inter tenementum Stephani Tran ab una ad orientem ab una et tenementum Thome Boyd ad occidentem ab altera partibus.

Item de tenemento Johannis Styrlinge jacente in dicto burgo inter tenementum Johannis Symontone ad orientem et tenementum Allani Hendre ad occidentem ab altera partibus duo solidi.

Item quadraginta denarii annui redditus annuatim levandi et percipiendi ad duos anni terminos consuetos prescriptos Martini in hieme et Penthecostes de tenemento Johannis Quhit quondam Johannis Maulynge jacente in dicto burgo inter tenementum Thome Gardnar ad occidentem ab una et tenementum quondam Alexandri Myllar ab altera partibus.

Telos.

Rentale Sanctorum Petri et Michaelis altaris fundati in insula boriali ecclesie de Irwin.

Item in primis de uno tenemento quondam Stephani Mure in via arenosa ex parte orientali ejusdem inter tenementum quondam Jacobi Browne ex utraque parte annuatim levandi et percipiendi de dicto tenemento quinque solidi ad duos anni terminos Penthecostes et Sancti Martini in hieme per equales portiones.

Item de dictis duobus tenementis predicti Jacobi Browne cum pertinenciis simul jacentibus inter tenementum dicti quondam Stephani Mure ex boreali ab una et tenementum quondam Thome Deyne ex altera partibus sex solidi annui redditus.

Item de proximo tenemento dicti Thome Deyne jacente etc. quatuor solidi annui redditus annuatim levandi et percipiendi de dicto tenemento.

Item quinque solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento David Symson jacente in dicto burgo de Irwin inter tenementum Jacobi Weyre ad occidentem ab una et tenementum Jacobi Browne senioris ad orientem ab altera partibus.

Item de proximo tenemento prefati Jacobi contigue adjacente quinque solidi fundalis annui redditus annuatim levandi et percipiendi de dicto tenemento.

Item quinque solidi fundalis annui redditus annuatim levandi et percipiendi ad terminos prescriptos de proximo tenemento Johannis Houstone contigue adjacente predicto tenemento dicti Jacobi.

Item quinque solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento Adam Montgumrye proximo adjacente dicto tenemento Johannis Houstone.

Item quatuor solidi annui redditus annuatim levandi et percipiendi de tenemento Georgii Patersone et Johannis Rankene jacente in dicto burgo inter tenementum Johannis Weyre ad occidentem ab una et tenementum Johannis Arnbukle ad orientem ab altera partibus.

Item sexdecim solidi fundalis annui redditus annuatim et levandi et percipiendi de toto et integro tenemento dicti Johannis Arnbukle contigue adjacente prefato tenemento Georgii Patersone et Johannis Rankene ab una et tenementum Jacobi Newin ab altera partibus.

Item quatuor solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento quondam Georgii Brokat jacente in dicto burgo inter tenementum Johannis Hall ab una et tenementum domini de Adamtone in le Grip ducente ad pontem et Makmusart Hill.

Item sex solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento Thome Huntar jacente ad finem orientalem ville inter tenementum Anabelle Laurence nunc Roys ab una et tenementum Stephani Robesone ab altera partibus.

Item sex solidi annui redditus annuatim levandi et percipiendi de toto et integro proximo tenemento predicti Stephani contigue adjacente prescripto tenemento Thome Huntar.

Item quadraginta denarii fundalis annui redditus annuatim levandi et percipiendi de totis et integris duobus tenementis proximis dicto Stephano pertinentibus Johanni Mure contigue adjacentibus predicto Stephano.

Item tres solidi annui redditus annuatim levandi et percipiendi de tenemento Johannis Mure de cruce versus crucem foralem inter tenementum Johannis Gottraye ab una et tenementum Sancti Conwalli ab altera partibus.

Item quinque solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento domini Johannis Campbell capellani versus le Kanest inter tenementum Jacobi Auld ad occidentem ab una et tenementum communem venallam ducentem ad ecclesiam ab altera partibus.

Item unum tenementum totum et integrum tenementum quondam Fynlai Park jacens infra dictum burgum inter tenementum quondam Allani Houstone ad occidentem et tenementum domini de Cauldwell ab altera partibus cum connexis et annexis hujusmodi tenemento cum pertinenciis [annexum altari] Sancti Petri.

Annui Redditus Sancto Michaeli Archangelo annexi et dicto altari Sancti Petri.

Item viginti sex solidi fundalis annui redditus annuatim levandi et percipiendi ad terminos prescriptos de tenementis duobus Jacobi Boyd senioris nunc junioris jacentibus in dicto burgo inter tenementum Johannis Andersone ad orientem ab una et tenementum domini Willelmi Browne capellani ab altera partibus.

Item tredecim solidi quatuor denarii annuatim levandi et percipiendi de toto et integro tenemento Willelmi Younge jacente in dicto burgo inter tenementum quondam Alexandri Stouphill ab una nunc [Roberti] Twedye ab una et tenementum Johannis Rois ab altera partibus qui annuus redditus annexus est altari Sacro Sanguini.

Telos.

Rentale Sancti Conwalli per dominum Georgium Baxter capellanum dicti altaris registratum.

Item in primis de duobus tenementis de duobus tenementis insimul una et contigue jacentibus in dicto burgo inter tenementum Johannis Mure crucis ab una ad occidentem et tenementum quondam Thome Boyd crucis adjacentibus ab altera partibus per dictum dominum Georgium annexum et connexum fuit ad annuum redditum quinque mercarum.

Item viginti solidi fundalis annui redditus de toto et integro posteriori tenemento predicti Sancti Convalli nunc pertinente Willelmo Samsone ratione feodifirme jacente inter tenementum Thome Boyd ab uno latere et Johannis Mur crucis ab altero latere ad occidentem et dictum tenementum ad borealem in via regia.

Item viginti solidi annuatim levandi et percipiendi de toto et integro tenemento Johannis Makgathane rectoris de Kilblane jacente in dicto burgo inter tenementum Johannis Quhit ab una et tenementum quondam domini Johannis Symontone ab altera partibus.

Item sexdecim solidi annui redditus levandi et percipiendi de toto et integro tenemento Willelmi Scot senioris jacente in dicto burgo inter tenementum quondam Roberti Culpar ab una et communem grippam ab altera partibus.

Item quatuor solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento Johannis Steinston jacente in dicto burgo inter tenementum Johannis Mure ab una et tenementum quondam Johannis Howye ab altera partibus.

Item tredecim solidi quatuor denarii annui redditus de toto et integro tenemento Nigelli Osburne jacente in dicto burgo inter tenementum Magistri Thome Scot ab una in Grippa et tenementum dicti Nigelli ab altera partibus qui annuus redditus annexus est altari Sacro Sanguini.

Item omnia hec pertinent altari et capellano Sancti Convalli.

Telos.

Rentale Sancte Marie Virginis in Insula boriali ecclesie de Irwin.

Item de tenemento quondam David Rankene nunc Thome Smytht versus crucem foralem burgi de Irwin jacente in dicto burgo de Irwin inter tenementum Johannis Houstone ad orientem ab una et tenementum Roberti Twedye seu viam ecclesiasticam tendentem ad ecclesiam ad occidentem ab altera partibus de dicto tenemento annuatim levandi et percipiendi ad duos anni terminos consuctos Penthecostes et Sancti Martini in hieme per equales portiones viginti sex solidi.

Item sexdecim solidi fundalis annui redditus annuatim levandi et percipiendi de toto et integro tenemento quondam Thome Boyd supra crucem jacente in dicto burgo inter tenementum Johannis Quhit ab una ad [orientem] et tenementum Sancti Convalli ab altera partibus.

Item viginti solidi annui redditus annuatim levandi et percipiendi de tenemento domini Willelmi Browne capellani nunc Thome Nevin jacente in dicto burgo inter tenementum Jacobi Boid junioris ab una ad orientem et tenementum Winnini Multraye ad occidentem ab altera partibus.

Item de tenemento quondam David Hart in via ecclesiastica nunc Johannis Mur prepositi de Irwin jacente inter tenementum quondam domini de Bothwell nunc Roberti Twedye ab una et tenementum Roberti Scot partibus ab altera thre s. tres solidi.

Item de tenemento domini Thome Auld nunc domini de Lyne jacente in dicto burgo inter tenementum Archibaldi Mure via ecclesiastica ab una et tenementum domini de Robertland inhabitatum per Andream Stenne viginti denarii quod tenementum tendit ad aquam in capite vie ecclesiastice.

Item de tenemento Jacobi Boyd jacente inter tenementum domini Willelmi Browne capellani ab una et tenementum Johannis Anderson ab altera partibus quadraginta denarii.

Item de magno horto jacente in dicto burgo de Irwin inter tenementum ab una et ab altera partibus *Sic.* jacente super le Munkmusarthill occupato per Margretam Wat viginti denarii.

Item tres solidi annui redditus annuatim levandi et percipiendi de toto et integro tenemento Johannis Bankheid jacente in dicto burgo inter tenementum Roberti Downye occupantis et Jacobi Nevin heredis ab una et tenementum quondam Mathei Dunwedye ab altera partibus.

Item octodecim denarii annui redditus annuatim levandi et percipiendi de toto et integro tenemento Thome Twedye jacente in le Grip inter tenementum Jacobi Boid ab una ad orientem et tenementum Johannis Hall ab altera partibus.

Item de horto quondam Thome Boyd quindecim denarii jacente inter et

. . . . *Sic.*

Item de prato quondam Willelmi Thomson nunc in manibus Jonete Ferguschill viginti sex denarii jacente in territorio dicti burgi inter terras et rodas.

Item de prato quondam Rankini Browne nunc in manibus Janete Ferguschill octodecim denarii jacente inter, etc.

Item de prato Egidie Browne nunc in manibus Jonete Ferguschill octodecim denarii.

Item de diversis terris Jacobi Weyr nunc in manibus Jonete Montfoyd viginti sex denarii.

Rentale omnium et singularum burgi de Irwin firmarum registratum in anno Domini millesimo quingentesimo quadragesimo quarto die mensis Novembris vicesimo octavo In tempore Roberti Scot prepositi Jacobi Mure et Stephani Tran ballivorum dicti burgi de Irwin.

Item in primis the borrowe landis aucht merkis monye of the realme to be pait at twaye termes usuall Witsondaye and Mertymes.

Item the Knodirhill sex merkis monye of the realme to be pait at twaye usuall termes of the yer Witsondaye and Mertymes in winter be evinle portiones in the yer.

Item the Newmur ffour skoir merkis of monye yerle.

Item the Gallowmur ffourtie schillinge monye forsaid.

Item Ormisheuch Roddinh[ill] and Hoilhous threttye thre schilling four đ.

Item the Lochmyll sex merkis yerle at termes forsaid.

Item Scottis wardis twaye markis yerle.

Item Dalrumpillis wardis ane mark.

Item the Lochmyll wardis threttye schillinge.

Item the Hie myre twentye schillingis.

Item the twaye fauldis twaye markis.

Item the Braid medowe foure markis yerle.

Item the R[ei]d medowe awand yerle to the towne threttye fif schillinge and to our Ladye altar in the northt yille fif shillinge yerle.

Item the Spittell medowe awand yerle twaye markis of maille at twaye usual termes in the yer Witsondaye and Martymes be evinle portiones.

Item the . . . arndillmos fourtye-four schillinge.

Item the Bogfauldis as it is nowe set ilk yer [twenti] pundis monye of the realme viz. half ane mark ilk aiker of xxv aikkerris.

Item the . . . buithtis undir the tolbuitht fourtye schilling.

Item the litle buitht fif schillinge.

Item Jhone Rankinnis hous fif schillinge.

Item Anabell Laurance hous threttye pennyis.

Item Robert Dunloppis hous wmquhille Besse Michellis thre schillinge yerle at termes forsaid.

Item the yard of Robert Culpar xij đ.

Item it is to be remembrit of this auld rentall fforsaid quhilk hes bene in our predecessouris tymes at the maill afoir rehersit nocht the les geif the saidis landis malyngis of the towne be betterr it is the common actione till augment it for the common profet.

This is the Newe Rentall quhilk followis, callit the new fond land.

Item in primis of the tenement of Thom Soutar twelf schillinge yerle to be liftit and rasit at twaye usual termes in the yer Witsondaye and Martymes in wyntir be evinlie portiones the quhilk tenement lyis wythin the burght of Irwin betuix the tenement of Alexander Browne at the eyst and the tenement of Jhone Portar at the west xij schillinge annellrent yerle to be liftit and rasit as said is.

Item of the tenement of [Jhone] Portar twelf schillinge of annuellrent at termes forsaid at the west contigue to Thom Soutar.

Item of the tenement of Jhone Riche twelf schillinge of anuellrent at termes forsaid at the west liand contigue to Jhone Portar.

Item of the tenement of James Cauldwell twelf schillinge of fundall annellrent to be pait to the towne at the terms forsaid contigue liand at the west to the tenement of Jhone Riche.

Item of ane tenement twelf schillinge anuellrent yerlie to be pait to the towne the quhilk tenement is the tenement of Gawin Patrik contigue adjacente to the tenement forsaid of James Cauldwell.

Item of the tenement of Jhone Montfoydis contigue adjacente to the forsaid Gawin Patrik twelf schilling anuellrent to be pait to the town.

Item twelf schillinge annellrent of ane tenement of Jhone Reidis and sex schilling annellrent of ane half tenement of the said Jhone quhilk is xviij s. anuellrent in the haill [quhilk] tenement and ane half tenement lyis contigue till the tenement of Jhone Montfoyd.

Item twelf schillinge anuellrent of ane tenement of Jh[one M'Il]martin and ane half tenement gratis quhilk tenement lyis contigue till the tenement of the forsaid Jhone Reyd.

Item of ane tenement of Jhone Ker twelf schillinge annellrent yerlie

to be liftit and rasit at twaye usuall termes in the [yer, Witsond]aye and Martymes be evinle portiones contigue liand to the [teneme]nt of Jhone M'Ilmartin.

Item of ane tenement of Ninian Younge twelf schillinge [of] anuellrent yerle to be tane of the said tenement contigue liand to the tenement of Jhone Ker.

Item of ane tenement of Thomas Tempiltone twelf schillinge anuellrent yerle to be liftit and rasit of the said tenement contigue liand to the tenement of Ninian Younge.

Item twelf . . . be liftit and rasit of the tene . . . liand to the tenement of R . . .

[On the back of the last leaf of this parchment book, this memorandum is written:—"3 Octobris 1587 This buke at the dait heirof contenis threttene written levis and blank levis altogidder." In its present condition folios 9 and 12 have been cut out, probably to serve for some other writing, as they seem to have been blank. One small portion of fol. 12 remains, with the last entry, as above, written upon it.]

Abstract.

Rental of the Burgh of Irvine, of all and sundry Chaplainries, Annualrents, annexed to the altars and chapels situated within the Parish Church of the said burgh, founded out of pious zeal by the laudable and excellent memory of our predecessors of the said burgh, and now at this time received and confirmed by Provost John Mure, Robert Scot and Robert Twedy, bailies of the said burgh, and the Council and Community of the whole town, in the year of the Lord a thousand five hundred and forty-second, on the day of the month of

First, The Rental of Saints Ninian and Katherine, now pertaining to Sir Robert Templeton and Sir Thomas Mure, chaplains.

From a tenement of the deceased Alexander Leys, commonly called the Kanest, on the east side of the burgh, on the High Street, ten shillings yearly, payable at the terms of Whitsunday and Martinmas.

From a tenement of James Auld, sometime of Sir Thomas Auld, lying within the burgh, between the tenement of Sir John Campbell, rector of Kilmally, on the east, and the tenement of the Laird of Stane on the north, thirty pennies.

From a tenement of Stephen Gemmill, sometime of David Cuninghame of Robertland, lying between the tenement of John M'Kerrell on the one side and that of Thomas Smyth on the other, six shillings and eight pennies yearly, at the two usual terms.

From a tenement now of James Scot, sometime of the Earl of Glencairn, called Roxburgh, lying within the burgh, between the tenement of the late rector of Lochow and the tenement of John[1] , two merks yearly; which tenement now belongs heritably to Stephen Preston, bailie of Ayr, as he asserted.

From a tenement of the said John Houstoun, lying within the said burgh, between the tenement aforesaid of Roxburgh, now of the said James Scot, on the one side, and that of Thomas Smyth on the other, nineteen shillings yearly.

From a tenement of the said Thomas Smyth, lying between the tenement of the said John Houston and the Kirkgate, in the corner, four shillings.

Eight shillings from a tenement of Thomas Scot, younger, within the said burgh, between the tenement of Alexander Thomson in the corner of the Kirkgate, leading towards the cemetery, on the one part, and the lands or tenement of the holy Trinity on the other.

Ten shillings from the foresaid tenement of Alexander Thomson, lying between the tenement of the said Thomas Scot on the east, and the common Kirkgate leading to the Church or style thereof on the west.

From the tenement of Isabella Montgomery in the said burgh, between the tenement of Robert Twedy on the one side and the common road leading towards the Makmusart Hill on the other, eleven shillings yearly.

Six shillings and eight pennies from the tenement of John Montgomery in the Kirkgate, between the tenement of Thomas Randell on the east and that of James Broun younger on the west.

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[1] *Sic.* But probably Houstoun; see next entry.

From an adjoining tenement of the said Thomas Randell, formerly of the Carmelite friars of Irvine, lying within the said burgh between the tenement of the said John Montgomery on the west and that of the late John Symonton, chaplain, on the other side, eight shillings.

Five shillings of annualrent from the tenement of the late John Glover, in the Kirkgate, between the tenement of William Scot, elder, and that of the foresaid Thomas Randell.

Thirty pennies of annualrent from the tenement of Robert Twedy, between the tenement of the aforesaid William Scot and that of William Paton, near the Tolbooth.

From the tenement of John Baule, formerly of Thomas Boyd, in Kilmarnock, eighteen pennies of ground-annual rent, lying within the burgh, between the tenement of Patrick Wilson and that of the Laird of Caldwell.

From a barn or tenement within the said burgh, between the lands of Thomas Scot, upon the lands of Makmusart Hill towards the east, and the lands of Sir John MacGaithan, chaplain, rector of Kilblane, on the west, two shillings.

Twelve pennies from the tenement of James Browne, younger, formerly of John Mure of Brigend, lying within the burgh between the lands of our lady of Banco on the one side and the lands of David Cuninghame of Robertland on the other.

Eight pennies from the tenement of Alan Kyle, formerly of Thomas Kyle his father, between the tenement of John Mure, sometime provost of Irvine, and the tenement and common street leading to the Seagate.

From the tenement of Thomas Robertson in the Seagate, between the tenement of Ninian Boylle on the one side and the tenement of the late Patrick Paterson on the other, four shillings yearly.

Five shillings from the tenement of John Mure in the Seagate, between the tenement of the said John, now roofed with tiles, on the one side, and the tenement of John White, formerly of John Irvine, on the other.

Four shillings from the tenement of Thomas Robeson, lying in the burgh between the tenement of a noble and potent lord, Hugh Earl of

Eglinton, on the one side, and the tenement of Giles Thomson on the west, on the other side.

Six shillings of annualrent from the tenement of Hugh Earl of Eglinton, lying in the said burgh of Irvine.

From the tenement of John Fulton, lying between the tenement of John Russall on the one side, and that of the late John Smyth, but now of Alexander Richie, on the other, six shillings and eight pennies yearly.

From the tenement of John Panton, formerly of Sir Thomas Makgee, lying between the tenement of the said John on the one side and that of William Ranken towards the north on the other, three shillings yearly.

From the tenement of Stephen Mure, lying between the tenement of the late James Broun on the one side and that of the said John Panton on the other, three shillings of annualrent.

Six shillings yearly from the tenement of George Panton in the said burgh, between the tenement of the late Robert Caldwell, but now of James Panton, on the one side, and that of John Roys on the other, six shillings eight pennies.

From the tenement of the lord Abbot of Kilwinning and his convent, called Loplie, lying in the said burgh, between the Templar tenement of Robert Twedy on the one side, and another tenement of the said abbot and convent of Kilwinning on the other side, twenty-four shillings yearly.

Ten shillings yearly from the tenement of John White, lying in the said burgh between the tenement of Stephen Trayne on the east, and the tenement of the late Thomas Boyd, now of his heir, on the other side.

Five shillings yearly from the tenement of John Symonton, within the burgh of Irvine, between the tenement of Thomas Gardiner on one side and that of John Stirling on the other.

Six shillings yearly from the tenement of the said Thomas Gardiner, lying between the tenement of the said John Symonton on the one side and that of John White on the other.

Four shillings yearly from the tenement of Robert Frances on the one part, and the tenement of James Wilson on the other.

Four shillings yearly from the tenement of the said James Wilson, lying between the tenement of the foresaid Robert Frances on the one side and that of the late Nicholas Gardiner on the other.

Six shillings yearly from the tenement of the said Nicholas Gardiner, lying between the tenement of the said James Wilson on the one side, and the tenement of the late Thomas Smyth and the common street leading to the Smyddebar on the other.

From a burgh rood of Mr. Thomas Scot, lying between the tenement of Adam Galt on the one side and the lands of Robert Scot on the other, twelve pennies yearly.

Also, four burgh roods lying at the east end of the burgh, between the tenement of on the one side, and the lands of William Scot, younger; which lands formerly belonged to the laird of Caldwell, but now to the said altar of Saints Ninian and Katherine, by reason of annexation to the said altar, with their fruits, annexes and connexes, and all and sundry emoluments.

Rental of the Altar of Saint Nicholas.

Eight shillings of annualrent from the tenement of William Montgomery of Stane, lying in the said burgh of Irvine between the tenement of James Auld and that of John McKerrall.

Five shillings yearly from the tenement of the late Alexander Millar, lying between the tenement of Sir Alexander Scot, provost of Corstorphine, on the one side, and that of John White on the other.

Six shillings eight pennies yearly from the tenement of William Scot, elder, lying between the tenement of Robert Culper on the one side and the common vennel leading to the Gryp on the other.

Twelve pennies from the tenement of James Browne, elder, lying between the tenement of the late Andrew Browne on the one side and that of Robert Mure on the other.

Twelve pennies of ground-annual from the tenement of John Panton, formerly of John Makgee, lying between the tenement of William Ranken on one side and another tenement of the said John on the other.

Three shillings of annualrent from the tenement of John Peebles, between the tenement of Thomas Deyne on one side and that of Robert Scot on the other.

Four shillings of annualrent from the tenement of John Deyne, lying between the tenement of Mr. Thomas Scot or William Scot on the one side and that of Robert Scot on the other.

From the tenement of Robert Hunter, formerly of John Makgaithan, lying between the tenement of Mathew Dunwedy on one side and that of William Trayne on the other, eighteen pennies yearly.

Six shillings eight pennies yearly from the tenement of Wynnin Multray, lying between the tenement of Thomas Nevyn, formerly of Sir William Broune, chaplain, on the one side, and the tenement of the late Adam Multray on the other.

Thirty pennies of ground-annual from the tenement of John Roys, formerly of James Esdell, lying between the tenement of George Panton on one side and that of William Young on the other.

Six shillings of annualrent from the tenement of John White, between the tenement of Stephen Trayne on the east and that of Thomas Boyd on the west.

From the tenement of John Stirling lying between the tenement of John Symonton on the east and that of Allan Hendry on the west, two shillings.

Forty pennies yearly from the tenement of John White, formerly of John Maulyng, between the tenement of Thomas Gardner on the west and that of the late Alexander Millar on the other side.

Rental of the Altar of Saints Peter and Michael, founded in the north Aisle of the Church of Irvine.

From a tenement of the late Stephen Mure in the Sandgate, on the east side thereof, between the tenement of the late James Broune on both sides, five shillings yearly.

From the said tenement of the foresaid James Broune, lying together between the tenement of the said Stephen Mure on the north and that of the late Thomas Deyne on the other side, six shillings of annualrent.

From the adjoining tenement of the said Thomas Deyne, four shillings yearly.

Five shillings yearly from the tenement of David Symson, lying between the tenement of James Weyr on the west and that of James Broune, elder, on the east.

From the tenement of the foresaid James lying next contiguously, five shillings of ground-annual.

Five shillings of ground-annual from the neighbouring tenement of John Houston, lying contiguously to the aforesaid tenement of the said James.

Five shillings of annualrent from the tenement of Adam Montgomery, next adjacent to the said tenement of John Houston.

Four shillings yearly from the tenement of George Paterson and John Ranken, lying between the tenement of John Weyr on the east and that of John Arnbukle on the other side.

Sixteen shillings of ground-annual from the tenement of the said John Arnbukle, lying contiguous to the aforesaid tenement of George Paterson and John Ranken, on the one side, and that of James Nevin on the other.

Four shillings yearly from the tenement of the late George Brokat, lying between the tenement of John Hall on one side and that of the laird of Adamtoun in the Grip, leading to the bridge and Makmusart Hill, on the other.

Six shillings yearly from the tenement of Thomas Hunter, lying at the east end of the town, between the tenement of Anabell Laurence, now Roys, on the one part, and the tenement of Stephen Robeson on the other.

Six shillings yearly from the next tenement of the foresaid Stephen, lying contiguous to the aforesaid tenement of Thomas Hunter.

Forty pennies of ground-annual rent from the two tenements next to the said Stephen, belonging to John Mure.

Three shillings yearly from the tenement of John Mure of the Cross, towards the market cross, between the tenement of John Gottray on the one side and the tenement of Saint Conwall on the other.

Five shillings yearly from the tenement of Sir John Campbell, chaplain, towards the Kanest, between the tenement of James Auld on the west and the common vennel leading to the church on the other part.

A tenement belonging to the late Fynlay Park, lying in the said burgh, between the tenement of the late Allan Houston on the west and the tenement of the laird of Caldwell on the other part, [annexed to the altar] of Saint Peter.

Annualrents annexed to Saint Michael the Archangel and to the said Altar of Saint Peter.

Twenty-six shillings of ground-annualrent from two tenements of James Boyd, elder, now younger, lying in the said burgh between the tenement of John Anderson on the east and that of Sir William Broune, chaplain, on the other side.

Thirteen shillings four pennies yearly from the tenements of William Young, lying between the tenement of the late Alexander Stouphill, now of Robert Twedy, on the one part, and the tenement of John Rois on the other, which annualrent is annexed to the altar of the holy blood.

Rental of Saint Conwall, registered by Sir George Baxter, chaplain of the said Altar.

From two tenements lying together and contiguous in the said burgh, between the tenement of John Mure of the Cross on the west and the adjacent tenement of the late Thomas Boyd of the Cross on the other part, annexed by the said Sir George at the annualrent of five merks.

Twenty shillings of ground-annualrent from the back tenement of the foresaid Saint Conwall, now belonging to William Samson by reason of feu-ferme, lying between the tenement of Thomas Boyd on the one side and of John Mure of the Cross on the other, to the east, and the said tenement to the front in the High Street.

Twenty shillings yearly from the tenement of John Makgathane, rector of Kilblane, between the tenement of John White and that of the late Sir John Symonton.

Sixteen shillings yearly from the tenement of William Scot, elder, in the said burgh, between the tenement of the late Robert Culpar on the one part and the common Grip on the other.

Four shillings yearly from the tenement of John Steinston, between the tenement of John Mure on the one side and the tenement of the late John Howie on the other.

Thirteen shillings four pennies of annualrent from the tenement of Neil Osburne, lying between the tenement of Mr. Thomas Scot on one side, in the Grip, and a tenement of the said Neil on the other side; which annualrent is annexed to the altar of the holy blood.

All these belonged to the altar and chaplain of Saint Conwall.

Rental of Saint Mary the Virgin in the north aisle of the church of Irvine.

From the tenement of the late David Ranken, now of Thomas Smyth, towards the market cross of the burgh of Irvine, between the tenement of John Houston on the east and the tenement of Robert Twedy, or the Kirkgate, leading to the church, on the west, twenty-six shillings yearly.

Sixteen shillings of ground-annualrent from the tenement of the late Thomas Boyd above the Cross, between the tenement of John White on the one side and that of Saint Conwall on the other.

Twenty shillings yearly from the tenement of Sir William Broune, chaplain, now of Thomas Nevin, lying between the tenement of James Boyd, younger, on the east, and that of Winnin Multray on the west.

From the tenement of the late David Hart in the Kirkgate, now of John Mure, provost of Irvine, between the tenement of the late lord of Bothwell, now of Robert Twedy, and the tenement of Robert Scott, three shillings.

From the tenement of Sir Thomas Auld, now of the laird of Lyne, lying between the tenement of Archibald Mure in the Kirkgate on one side, and the tenement of the laird of Robertland, inhabited by Andrew Stenne, on the other, twenty pennies; which tenement reaches to the water at the head of the Kirkgate.

From the tenement of James Boyd, between that of Sir William Broune, chaplain, and that of John Anderson, forty pennies.

From a large garden lying in the said burgh, upon the Munkmusart Hill, occupied by Margaret Wat, twenty pennies.

Three shillings yearly from the tenement of John Bankhead, between the tenement of Robert Downy, occupant, and James Nevin, the heir, on one side, and the tenement of the late Mathew Dunwedy, on the other.

Eighteen pennies yearly from the tenement of Thomas Twedy in the Grip, between the tenement of James Boyd on the east and that of John Hall on the other part.

From the garden of the late Thomas Boyd, fifteen pennies.

From the meadow of the late William Thomson, now in the hands of Janet Fergushill, six pennies, lying in the territory of the burgh between the lands and roods.

From the meadow of the late Ranken Broune, now in the hands of Janet Fergushill, eighteen pennies.

From the meadow of Egidia Broune, now in the hands of Janet Fergushill, eighteen pennies.

From divers lands of James Weyr, now in the hands of Janet Montfoyd, twenty-six pennies.

Rental of all and sundry the Fermes of the Burgh of Irvine, registered in the year 1544, on 28th November, in the time of Robert Scot, provost, James Mure and Stephen Tran, bailies of the said burgh.

In the first, the borrow lands, etc.

15. *Agreement regarding the Teinds of the Outer and Inner Bogfaulds of Irvine.—30th December* 1570.

At Irwin the penult day of December 1570 yeris: Forsamekle as capitanes Andro Conynghem and Thomas Craufurd servitouris to our soverane lord and his Graeis regent hes agreit and concordit for twa yeris teyndes off the Uter and Inner Bogfauldes off the burgh of Irwin, with the communitie thairof, off the croppes off the yeris of God j^{m} v^{c} threscoir nyne and threscoir ten yeris, yerlie and ilk yeir of the sadis twa yeris ane twne off wyne and upone the pryces thairof hes agreitt and promittes faythfully be the tenor herof to mak payment off the sowm of foure scoir markis money of this

realme within xx dayes nixt efter the dait herof, to Alexander Conynghem burges of Irwin in name and behalf of the saidis capitanis provyding the said Alexander present and deliver to the said communitie ane sufficient discharge of the saidis twa yeres teyndes subscribit be the saidis capitanes: In witness heroff ther persones following hes subscribit ther presentes as followes, etc., as persones being upone the appoyntment abone specefeit, viz. Jhon Pebles provest, Robert Kyill Jhon Gemmill ballies Thomas Broun Stene Tran Jhon Mur Hew Campble Hew Neving Willeam Pawtoun Robert Conynghem Jhone Dene Olever Houstoun Matho Pebles William Androson James Bryden James Broun William Scott and Hew Scott Stene Quhyt.

Jhon pebles provest
Robert Kyle
Thomas broun
Hew Nevyng
Stene quhyt

William Scott
hew Scott
Olever Houstoun

James Broun, *Court Clerk.*

16. *Letters in the four forms at the instance of the Burgh of Irvine against their Tenants in the church lands, etc.—29th February* 1572.

James be the grace of God King of Scottis to oure lovittis Thomas Esat messinger David Muir messingear Jhone Symontoun messingeris oure schireffis in that part conjunctlie and severalie specialie constitut greting Forsamekle as anent oure utheris lettres purchest at the instance of the provest baillies counsale and commonitie of our burgh of Irwine aganis Stevin Trane William Scott Petir Broun Hew Broun James Broun Robert Broun Hew Scott Hew Tran William Tran Johnne Peblis Nichole Henrie James Brydin youngar Johne Dene Robert Craig James

Boyd Johne Wilsoun Stevin Boyd William Cuningham Robert Speir Stevin Quhite Johnne Harwie William Mur William Kyle Olipheir Houstoun Stevin Gemmill James Ros Johnne Tuedy Johnne Bankheid Adam Montgomery Edwart Reid Patrik Bridin Matho Peblis William Stevinstoun Robert Kyle Robert Montgomery burgessis of Irwing William Fairlie comburges therof David Blair of Adamtoun and Cuthbert Cuningham of Cuttiswray tennentis and occupiaris underwrittin and all utheris intromettouris with the landis and annualis underwrittin and utheris addettit in payment of the samin makand mentioun that quhair the saidis provest baillies counsale and commonitie hes be our gift with advis of umquhile our derrest regent Johnne erle of Mar lord Erskyne, etc., to thame and thair successouris for evir all and sindrie landis tenementis houssis biggyngis kyrkis chaiplanreis orchartis yardis croftis annualrentis fructis dewiteis proffettis emoliamentis maillis daill silvir obitis anniversaris quhatsumevir quhilkis ony wis hes pertenit or salbe knawin to pertene to quhatsumevir chaiplanriis alteragiis prebendariis wer of befoir quhairsum
or college foundit within the libertie of the said burgh be quhatsumevir patronis therof in quhais possessioun the chaiplanrie and prebendareis wer of befoir forsaidis houssis biggynnis tenementis orchartis yardis annualrentis anniversareis fructis proventis and emoliamentis lyis or wer upliftit of befoir to the said burgh and libertie thairof and als sex bollis of multure suckyn quhilkis pertenit of befoir to the freris Carmilitis of the said burgh of Irwin and thame of the landis of Ormisheuch Reddinhill and Hoilhous lyand within the baillierie of Cuninghame and all uthiris annualrentis lyand within and libertie therof quhilkis pertenit of befoir to the saidis freris as the saidis persewaris infeftment and saising therof proportis Nevirtheles the few and occupiaris of the saidis landis and intromettouris with the saidis annuallis fructis and dewiteis and multuris and uthiris detbund in payment wis will ansuer obey and mak payment to the saidis persewaris and to thair thesaurar of the samin without thai be compellit and anent the charge gevin to all and sindrie the speciale personis abone writtin and all utheris intromettouris as said is to haif comperit befor the lordis of counsale at ane certane day bipast to haif hard and sene thir oure lettres direct and gevin in maner under specifiit or ellis to haif allegit ane ressonable caus quhy the samin suld nocht haif bene gevin as at mair lenth is contenit in the saidis lettres the saidis provest baillies

counsale and commonitie comperand be maister David Makgill thair procuratour and the saidis haill speciale personis abone writtin and all uthiris intromettouris and addettit in payment as said is being lauchfullie summond to this actioun oftymes callit and nocht comperit the lordis of oure counsale hes decernit and ordanit thir oure lettres to be direct in all the four formes and ilk form to be execut eftir uthiris within xxiiij houris and the warding to be in oure castell of Dunbartane in cais of dissobedience Chargeing the saidis speciale personis abone writtin and all uthiris intromettouris and uthiris addettit in payment as said is to ansuer obey and mak payment to the saidis provest baillies counsale and commo[nitie] and thair said thesaurar present and th[at] salhappin to be for the tyme of all and sindrie the saidis landis houssis kyrkis chaipellis orchartis yardis croftis annualrentis fructis dewiteis pr[offe]ttis emoliamentis maillis dail silvir obetis and anniversareis quhatsumevir and multur forsaid ilkane of thame for thair awin part as salbe gevin in tickett (except the kingis patronageis lande patronageis and levand mennis beneficeis) eftir the forme and tennour of thair infeftment and saising thairof forsaid schawin and producit befoir the saidis lordis for divers caussis as at mair lenth is contenit in the saidis lordis decreit gevin thairupoun. Oure will is heirfoir and we charge you straitlie and commandis that incontinent thir oure lettres sene ye pas and in oure name and auctorite command and charge the forsaidis speciale personis abone writtin and all uthiris intromettouris and utheris addettit in payment as said is to ansuer obey and mak payment to the saidis provest baillies counsale and commonitie and thair thesaurar present and that salhappin to be for the tyme of all and sindrie the saidis landis houssis kyrkis chaipellis orchartis yardis croftis annualrentis fructis dewiteis proffettis emoliamentis maillis daill silvir obetis and anniversareis quhatsumevir and multur forsaid ilkane of thame for thair awin part as salbe gevin to you in tickett (except the kingis patronageis lande patronageis and levand mennis benefices) efter the forme and tennour of thair infeftment and saising thairof and of the saidis lordis decreit gevin thairupoun within xxiiij houris nixt eftir thai be chargeit be you therto under all hieest pane and charge that eftir may follow The quhilkis xxiiij houris being bipast and the saidis personis dissobeyand that ye charge thame yit as of befor to ansuer obey and mak payment to the saidis complenaris of all and sindrie the saidis landis houssis chapellis orchardis yardis croftis annualrentis fructis dewiteis profettis emoliamentis daill silvir obetis and anniversareis quhatsumevir and multur forsaid ilk ane of thame for thair awin part as said is (except befoir exceptit) conform to the said infeftment and to the saidis lordis decreit gevin thairupoun within uthir xxiiij houris nixt eftir thai be chargeit be you therto under the pane of warding of ther personis The quhilkis xxiiij houris being bipast and the saidis personis dissobeyand that ye charge thame yit as of befoir to ansuer obey and mak payment to the saidis complenaris of all and sindrie the saidis landis houssis chapellis orchardis yardis croftis annualrentis fructis dewiteis and utheris emoliamentis and multuris abone rehersit (exceptand as said is) conforme to the said infeftment and to the saidis lordis decreit gevin thairupoun within uther xxiiij houris [nixt] eftir thai be chargit be you therto or ellis that thai within the samin xxiiij houris pas and entir thair personis in ward within our said castell of Dunbartane thair to remane upoun ther awin expenssis ay and quhill thai haif fulfillit the command of thir oure lettres and be fred be ws therto under the pane of rebellioun and putting of thame to oure horne and that thai cum to oure secretar or his deputis keparis of oure signet and ressave oure utheris lettres for ressait in ward within oure said castell The quhilkis xxiiij houris being bipast and the saidis personis dissobeyand that ye charge thame yit as of befoir to mak payment to the saidis complenaris of all and sindrie the landis houssis chapellis orchardis yardis croftis annualrentis fructis dewiteis mentis and multuris abone rehersit (exceptand as said is) conforme to the said infeftment and to the saidis lordis decreit gevin thairupoun houris next eftir thai be chargit be you therto or ellis that thai within the samin xxiiii houris pas and entir thair personis in ward within our to remane upoun thair awin expenssis ay and quhill thai haif fulfillit the command of thir our lettres and be fred be ws therto under the said and putting of thame to oure horne and that thai cum to oure said secretare or his deputis keparis of oure signet and ressave our uther thair ressait in ward within our said castle The quhilkis last xxiiii houris of all being bipast and the saidis personis or ony of thame and nocht fulfilland the command of thir our lettres nor enterand thair personis in ward within our said castell as said is that ye incontinent den aris oure rebellis and put thame to oure horne and escheit and inbring all thair movable guidis to be inbrocht to oure use for and immediatlie eftir thair said denuntiatioun that ye pas to the schiref of oure schyre quhair the saidis dissobeyaris duellis and alsu or his clerkis, and mak intima-

tioun to thame respective of your said denuntiatioun to the effect and according to oure act and ordinance as ye will ansuer to ws thairupoun The quhilk to do we commit to you conjunctlie and severalie oure full power be thir oure lettres be you dewlie execut and indorsat agane to the berar. Gevin under oure signet at Edinburgh the last day of Februar and regnne the sext yeir 1572.

Per decretum dominorum consilii, etc. R. Scott.

17. *Feu-Charter by Thomas Andrew, Vicar of Irvine, to Peter Broun of Burrowland, of the Kirklands of the Vicarage of Irvine.*—1572.

Omnibus hanc cartam visuris vel audituris Thomas Andreas vicarius de Irwin salutem in omnium salvatore Noveritis me cum expressis consensu et assensu venerabilis clerici Alexandri permissione divina commendatarii monasterii de Killwyning et conventus ejusdem ad hoc capitulariter congregati secundum Statuta et acta parliamentorum hujus regni principum nobis Scotie pro lege observanda pro cultura et policia in regno habenda edita utilitateque mea et successorum meorum undique previsa et pensata deliberatione matura prehabita pro rentalis mei augmentatione annuatim ad summam duodecim denariorum monete hujus regni Scotie plusquam unquam terre subscripte mihi aut predecessoribus meis persolverunt aut dederunt Necnon pro nonnullis pecuniarum summis mihi pre manibus per honorabilem virum Petrum Broun de Burrowland burgensem de Irwin gratanter et integre persolutis in pecuniis numeratis et aliis gratitudinibus et bene meritis mihi per ipsum multipliciter impensis de quibusquidem teneo me bene contentum pacatum plenarie et integre persolutum cum exoneratione earundem plena Assedasse arrandasse locasse et ad feudifirmam seu emphiteosim hereditarie dimisisse et hac presenti carta mea confirmasse Necnon per presentes assedare locare arrendare et ad feudifirmam seu emphiteosim hereditarie dimittere et hac presenti carta mea confirmare prefato Petro Broun heredibusque suis et assignatis Totas et integras terras meas ecclesiasticas vicarie mee subscripte, viz. quinque rodas terrarum aut ea circa jacentes intra territorium dicti burgi inter terras Wilelmi Scot ex australi communes rodas terrarum dicti burgi ex orientali communem cemitem sive viam discendendo ad aquam de Irwin ex boriali et occidentali partibus ab una et aliis Necnon totas et integras illas duas rodas terrarum aut ea circa unacum terra non manurata lie Buland eisdem adjacente discendendo ad predictam aquam de Irwin ex occidentali terras quondam Oliveri Howstoun ex borientali cimiterium ex orientali et terras sacelle nuncupate lie Chappell land ex australi partibus ab una et aliis cum singulis suis pertinenciis pendiculis et pertinenciis quibuscunque jacentes in predicto territorio et perochiali de Irwin balliatu de Conyghame et infra vicecomitatum de Air Tenendas et habendas totas et integras prenominatas terras prout superius nominantur et limitantur in specie cum singulis suis partibus pendiculis et pertinenciis quibuscunque prefato Petro Brown heredibus suis et assignatis de me et successoribus meis vicariis de Irwin in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in bostis planis cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac justis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam subtus quam supra terram procul et prope ad predictas terras eccleciasticas cum pertinenciis spectantibus seu spectare valentibus quomodolibet infuturum libere quiete plenarie integre honorifice bene et in pace sine aliquo impedimento obstaculo revocatione aut contradictione quacunque Reddendo inde annuatim dictus Petrus Brown heredes sui et assignati pro predictis terris mihi et successoribus meis vicariis de Irwin pro tempore existentibus summam quatuor solidorum annualis firme monete usualis hujus regni Scotie tanquam firmam pro eisdem terris ante presentem infeodationem solvi solitam et consuetam cum predictis duodecim denariis superius specificatis in augmentationem dicti mei rentalis extendentes in integro ad summam quinque solidorum monete prescripte ad duos anni terminos consuetos Penthecostes et Sancti Martini in hyeme per equales portiones nomine feudifirme Necnon heredes dicti Petri et sui assignati duplicando dictam feudifirmam unius anni eorum primo introitu ad prelibatas terras prout usus est feudifirme tantum pro omni alio onere exactione questione demanda seu servitio seculari que inde per quoscunque juste exigi poterunt quomodolibet vel requiri Et ego vero dictus Thomas Andreas vicarius de Irwin et successores mei totas et integras prenominatas terras ecclesiasticas prout superius nominantur et limitantur in specie cum partibus pendiculis et pertinenciis suis quibuscunque memorato Petro Brown heredibus suis et assignatis adeo libere et quiete in omnibus et per omnia forma pariter et effectu ut premissum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus Igitur vobis dilectis meis Johanni

Conyghame ballivis meis in hac parte conjunctim et divisim specialiter constitutis salutem Vobis et vestrum cuilibet conjunctim et divisim precipio firmiter et mando quatenus presentibus visis postmodum indelate statum et sasinam hereditariam Necnon realem actualem et corporalem possessionem omnium et singularum prefatarum terrarum mearum ecclesiasticarum de Irwin prout superius nominantur et limitantur in specie cum singulas suis partibus pendiculis et pertinenciis quibuscunque jacentium ut supra intra territorium burgi de Irwin memorato Petro Brown de Burrowland burgensi dicti burgi ve suo certo actornato latori presentium per terre et lapidis fundi earundem deliberationem Secundum vim formam et tenorem hujus suprascripte mee carte juste tradatis deliberetis et haberi faciatis sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis meis antedictis meam plenariam et irrevocabilem tenore presentium committo potestatem In cujus rei testimonium presentibus manu mea manibusque dicti commendatarii et conventus in signum eorum consensus et assensus premissa subscriptis sigillum meum unacum sigillo communi capituli dicti monasterii sunt appensa apud burgum predictum de Irwin at Killwyning diebus mensis anno Domini millesimo quingentesimo septuagesimo secundo coram hiis testibus viz. apud Irwin

Thomas andro vicar of
With my hande

Alexander commendatar of Kilwinning

ABSTRACT.

Charter by Thomas Andrew, vicar of Irvine, with consent of Alexander commendator of Kilwinning and convent thereof, chapterly assembled, in favour of Peter Brown of Burrowland, of the Kirklands of the vicarage, namely, five roods or thereby of land within the territory of the burgh, between the land of William Scot on the south, the common roods of the burgh on the east, the common way or path going down to the Water of Irvine on the north and west; also those two roods or thereby of land, together with the land not manured called the Buland, adjacent thereto, going down to the said Water of Irvine on the west, the lands of the late Oliver Houstoun on the north, the cemetery on the east, and the chapel land on the south: To be holden in fee and heritage of the granter and his successors, vicars of Irvine, for the yearly rent of four shillings, with twelve pennies of augmentation of rental in name of feu-ferme: Contains precept of Sasine, and is sealed and subscribed at Irvine by the granter, the Earl of Glencairn, and the commendator of Kilwinning, 1572.

18. *Charter by King James VI., granting to the Burgh of Irvine the ecclesiastical property within the Burgh for the support of a School.—8th June* 1572.

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus totius terre sue clericis et laicis salutem Sciatis quia nos impensius munus nostrum erga divinum servicium perpendentes et pro ardenti zelo quem ob intertenendam poleciam et equabilem ordinem inter subditos nostros precipue vero infra burgum nostrum de Irwing preservandum habemus Considerantes itaque nos ex officio teneri munus erga Deum complecti debere cujus providentia regimini hujus regni preponimur sic que nobis ex officio incumbere honeste providere ut Scole et gymnasia erigantur et pauperes foveantur infra predictum nostrum burgum ubi juventus imbui possit bonis moribus et literarum cognitione non solum ad serviendum in ministerio verbi divini sed etiam in polecia nostri regni cum avisamento et consensu charissimi nostri consanguinei Johannis comitis de Mar domini Erskin, etc., regni nostri Regentis dedimus concessimus et disposuimus ac tenore presentis carte nostre damus concedimus et disponimus preposito ballivis consulibus et communitati dicti nostri burgi de Irwing et eorum successoribus imperpetuum Omnes et singulas terras tenementa domos edificia ecclesias capellanias pomeria hortos croftas annuos redditus fructus devoria proficua emolumenta firmas elemosinas lie daillsilver obitus anniversaria quecunque que quovismodo pertinuerunt aut pertinere dinoscebantur ad quascunque capellanias alteragia prebendarias in quacunque ecclesia capellania aut collegio infra libertatem dicti burgi nostri de Irwing fundata seu fundatas per quoscunque eorundem patronos In quarum possessione capellani et prebendarii earundem perprius fuerunt ubicunque predicte domus edificia tenementa pomeria horti annui redditus anniversaria fructus proventus et emolumenta jacent aut prius levata erant respective infra predictum nostrum burgum et libertatem ejusdem jacentia Ac etiam sex bollas multure lie suckin que fratribus Carmelitis dicti nostri burgi de Irrewing pertinuerunt et ab eis levabantur de terris de Ormisheuch Reddinhill et Hoilhous infra balliatum de Cunynghame jacentibus Et omnes alios annuos redditus qui dictis fratribus perprius pertinuerunt infra predictum nostrum burgum et libertatem ejusdem jacentes Tenendas et habendas omnes et singulas prefatas terras tenementa domos edificia pomeria ortos annuos redditus anniversaria fructus proventus et emolumenta firmas elemosinas lie dailsilver obitus ecclesias et capellanias predictas cum earundem pertinenciis predictis preposito ballivis consulibus et communitati et eorum successoribus de nobis et nostris successoribus imperpetuum cum libero introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus proficuis asiamentis ac justis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad prefatas terras tenementa domos edificia et alia suprascripta spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine ulla revocatione contradictione aut obstaculo aliquali Cum potestate dictis preposito ballivis consulibus et communitati et eorum successoribus per seipsos eorum collectores et officiarios eorum nominibus prefatos annuos redditus fructus devoria proficua anniversaria et obitus levandi et recipiendi ubicunque perprius levabantur Et predictas domos tenementa pomeria hortos et croftas prout ipsis magis videbitur expediens locandi similiter et adeo libere in omnibus sicuti prefati capellani aut prebendarii eadem perprius locare poterant Ac etiam cum avisamento prescripto unimus et incorporamus omnes et singulas predictas terras tenementa domos edificia ecclesias capellanias pomeria hortos croftas annuos redditus fructus et devoria predicta cum suis pertinenciis in unum corpus deinceps et imposterum appellanda fundatio nostra Scole de Irwing Volumus etiam quod unica sasina per predictos prepositum et ballivos aut eorum quemlibet apud pretorium dicti nostri burgi semel accepta tam sufficiens erit sasina perpetuo in futurum ac si eadem super particulares terras ad dictos capellanos prebendarios et fratres pertinentes accepta extitisset non obstante locorum distantia Preterea per presentes nolumus quod capellani prebendarii et fratres qui ante religionis alterationem predictis terris et annuis redditibus provisi extiterant ullo modo per hoc presens infeofamentum prejudicentur Sed reservamus illis usum eorundem durante eorum vita Precipiendo nostrorum computorum rotulatoribus collectoribus tertiarum presentibus et pro tempore existentibus ac aliis quorum interest in genere ac speciatim ne eorum quisquam predictos fructus et annuos redditus aut eorum aliquam partem levare presumat aut ullum impedimentum facere predictis preposito ballivis consulibus et communitati et eorum successoribus in pacifica possessione et gavisione earundem Requirendo etiam ac ordinando dominos consilii et sessionis nostre quatenus literas in omnibus quatuor formis ad instantiam dictorum prepositi ballivorum consulum et communitatis et ipsorum successorum dirigant ut de eisdem responderi et obediri compellant Ac etiam precipiendo intromissoribus cum eisdem fructibus et annuis redditibus et occupatoribus terrarum ex quibus iidem levari debent quatenus de eisdem ipsis prompte respondeant in amplissima forma absque citatione precedente Proviso nihil[omin]us quod de eisdem annuis redditibus ratio quotannis reddatur nostro scaccario ut intelligi queat si iidem debite applicentur In cujus rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus Testibus reverendo in Christo patre Adamo episcopo Orchadensi commendatario monasterii nostri Sancte Crucis prope Edinburgh dilectis consanguineis nostris Jacobo comite de Mortoun domino Dalkeith etc., cancellario nostro Willelmo comite Mariscalli domino Keith dilectis nostris familiaribus consiliariis Magistro Jacobo Makgill de Rankelour Nethir nostrorum rotulorum registri ac consilii clerico Joanne Bellenden de Auchnoule milite nostre justiciarie clerico et Magistro Georgio Buchannane pensionario de Corsragwell nostri secreti sigilli custode Apud Letham octavo die mensis Junii anno Domini millesimo quingentesimo septuagesimo secundo et regni nostri quinto.

ABSTRACT.

Charter by King James the Sixth, whereby, out of an earnest consideration of his duty towards God and ardent zeal for the preservation of good government and just order amongst his subjects, and especially of the burgh of Irvine, and that it was incumbent upon him in virtue of his office to provide for the erection of schools and gymnasia, and for the maintenance of the poor within the said burgh, where the youth might be imbued with

good manners and the knowledge of letters, not only for serving in the ministry of the Lord but also in the polity of the kingdom, therefore with advice and consent of John Earl of Mar, regent, he gave and granted to the provost, bailies, councillors and community of the burgh of Irvine, and their successors, all and sundry lands, tenements, houses, buildings, churches, chaplainries, orchards, gardens, crofts, annualrents, fruits, dues, profits, emoluments, fermes, alms, daill-silver, obits and anniversaries whatsoever, which pertained or in any way might belong to whatsoever chaplainries, altarages, prebendaries, in whatsoever church, chaplainry, or college founded within the liberty of the said burgh, formerly possessed by chaplains and prebendars; and also six bolls of multure or sucken, which belonged to the Carmelite friars of the burgh, and were levied by them from the lands of Ormsheuch, Reddinhill, and Holehouse, in the bailiery of Cunningham, and all other annualrents which formerly belonged to the said friars within the liberty of the burgh, to hold of the King and his successors for ever, with the usual privileges; and with power to the said magistrates and community, by themselves, or their officers in their names, to levy and receive the aforesaid annualrents, etc., and to let the foresaid houses, tenements, orchards and others, as should seem to them most expedient; uniting and incorporating all and sundry the said lands, tenements and others into one body, to be called the King's Foundation of the School of Irvine; one sasine to be taken by the provost and bailies or any of them, at the town hall of the said burgh, to be sufficient; providing, moreover, that the chaplains, prebendars and friars who were provided to the said lands and annualrents before the alteration of religion should not be prejudiced by this infeftment, but reserving to them the use thereof during their lives. Given under the great seal at Leith 8th June 1572.

19. *Precept of Sasine for infefting the Burgh of Irvine in the church property granted for the Foundation of the King's School of Irvine.—8th June* 1572.

Jacobus Dei gratia Rex Scotorum ballivo nostro de Cunynghame et deputatis suis necnon dilectis nostris Hugoni Nevene Petro Broun et eorum cuilibet conjunctim et divisim ballivis nostris de Cuninghame in hac parte salutem Quia cum avisiamento et consensu charissimi nostri consanguinei Johannis Comitis de Mar domini Erskin etc. regni nostri

Regentis dedimus concessimus et disposuimus preposito ballivis consulibus et communitati burgi nostri de Irrewing et eorum successoribus in perpetuum Omnes et singulas terras tenementa domos edificia ecclesias capellanias pomeria ortos croftas annuos redditus fructus devoria proficua emolumenta firmas elemozinas lie dailsilver obitus anniversaria quecunque que quovismodo pertinuerunt aut pertinere dinoscebantur ad quascunque capellanias altaragia prebendarias in quacunque ecclesia capellania aut collegio infra libertatem dicti nostri burgi de Irreving fundata seu fundatas per quoscunque eorundem patronos In quarum possessione capellani et prebendarii earundem perprius fuerunt ubicunque predicte domus edificia tenementa pomeria horti annui redditus aniversaria fructus proventus et emolumenta jacent aut prius levata erant respective infra predictum nostrum burgum et libertatem ejusdem jacentia Ac etiam sex bollas multure lie suckin que fratribus Carmelitis dicti nostri burgi de Irwing pertinuerunt et ab eis levabantur de terris de Ormisheuch Reddinhill et Hoilhous infra balliatum de Cunynghame jacentibus Et omnes alios annuos redditus qui dictis fratribus perprius pertinuerunt infra predictum nostrum burgum et libertatem ejusdem jacentes Ac etiam cum avisamento prescripto unimus et incorporamus Omnes et singulas predictas terras tenementa domos edificia ecclesias capellanias pomeria hortos croftas annuos redditus fructus et devoria predicta cum suis pertinenciis in unum corpus deinceps et imposterum appellanda fundatio nostra Scole de Irwing Volumus etiam quod unica sasina per predictos prepositum et ballivos aut eorum quemlibet apud pretorium dicti nostri burgi semel accepta tam sufficiens erit saisina perpetuo in futurum ac si eadem super particulares terras ad dictos prebendarios capellanos et fratres pertinentes accepta extitisset Non obstante locorum distantia prout in carta nostri desuper confecta latius continetur Vobis precipimus et mandamus quatenus dictis preposito et ballivis aut eorum cuilibet vel suis certis actornatis latoribus presentium saisinam omnium et singularum prefatarum terrarum tenementorum domorum edificiorum pomeriorum hortorum annuorum reddituum anniversariorum fructuum proventuum et emolumentorum firmarum elemozinarum lie daill silver obituum ecclesiarum et capellaniarum predictarum cum earundem pertinenciis secundum formam et tenorem carte nostre quam de nobis inde habent juste haberi faciatis et sine dilatione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris de Cunynghame in hac parte committimus potestatem Datum sub

testimonio nostri magni sigilli apud Letham octavo die mensis Junii anno Domini millesimo quingentesimo septuagesimo secundo et regni nostri quinto.

Abstract.

Precept of Sasine by King James the Sixth, directing his bailie of Cunynghame to infeft the provost, bailies, councillors and community of his burgh of Irvine and their successors in all lands, tenements, houses, churches, chaplainries, annualrents, fruits, duties, dailsilver, anniversaries and others, that pertained to any chaplainry, altarage or prebendary in any church, chaplainry, or college founded within the liberty of the burgh, in possession of which the chaplains and prebendaries of the same were formerly; and of six bolls of multure which belonged to the Friars Carmelites of the said burgh and were uplifted by them out of the lands of Ormisheuch, Reddinhill, and Hoilhouse in the bailiary of Cunynghame, and all other annualrents that formerly belonged to the said friars lying within the burgh and liberty thereof. Also erecting the whole foresaid lands, houses, etc., into an incorporation to be called the Foundation of the King's School of Irving. The preamble states that these had all been granted to the burgh with consent of John Earl of Mar Lord Erskin, etc., Regent of the Kingdom. Given under the Quarter Seal at Leith 8th June 1572.

20. *Minute of the Commission of Benefices in regard to the Rental of Church lands and benefices in Irvine.*—12*th August* 1573.

Apud Edinburgh xij° Augusti anno, etc. lxxiij° :—

Comperit befoir the commissionaris Hew Campbell provest and Thomas Broun burges and commissionaris of Irvine and producit thair chartour of the Freiris landis annuellis and chaiplanreis berand ut scole et gimnasia erugantur et pauperes foveantur infra dictum burgum Et in fine habet Proviso nihilominus quod de eisdem annuus redditus ratio quotannis reddatur nostro scaccario ut intelligi queat si iidem debite applicentur Togidder with this rentaile, extending to xlj łi xiij s jd, and allegis that the chaiplanis of thair chaiplanreis as yit on lyiff and alsua the freiris alyiff and that thai gett na intromissioun thairwith :

The lordis commissionaris ordanis the toune of Irvein to bring parti-

culare rentaillis of the twa altarages of St. Johnne the Baptist and the Trinitie altare quhairof na particulare rentaile as yit is gevin up and towart the present rentaile ordanis tham to mak it mair particulare and to designe the landis and tenementis quhairof thir annuellis suld be upliftit alsueill as the possessouris names of the same agane the nixt assemblie Togidder with the rentaillis of all utheris chaiplanreis alsueill pertening to the patronage of the toune and inhabitantis thairof as to owt patronis, to the effect the same may be disponit conforme to the act of parliament.

And as twiching the leving chaiplanis ordanis to bring their names and surnames agane the nixt assemblie with sufficient testimoniall of thair lyiff Togidder with a particulare rentaile of the haill freiris in respect thair is na thing gevin up heir bot the mylne alanerlie. S. J. Nicolson.

21. *Instrument of Sasine in favour of the Burgh of Irvine, of the lands and rents formerly belonging to the Church and Carmelite Friars of Irvine.—4th October* 1574.

In Dei nomine Amen Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno incarnationis Dominice millesimo quingentesimo septuagesimo quarto die vero mensis Octobris quarto regnique supremi domini nostri Regis Jacobi Sexti anno octavo In mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir Hugo Campbell urbis prefectus burgi de Irwin quoddam regium preceptum sasine subinsertum pergamino scriptum sub testimonio magni sigilli regii ad presentiam providi viri Hugonis Nevein burgensis dicti burgi [ballivi] dicti supremi domini nostri regis in eodem specialiter nominati et constituti presentavit ipsum ballivum humiliter implorans ad hujusmodi debite exequendum quod idem ballivus de ejus manibus reverenter recepit ac mihi notario publico subscripto perlegendum et publicandum tradidit Cujus tenor sub hac verborum serie sequitur Jacobus Dei gratia Rex Scotorum ballivo nostro de Cunyghame et deputatis suis nec non dilectis nostris Hugoni Nevin Petro Broun et eorum cuilibet conjunctim et divisim ballivis nostris de Conyghame in hac parte salutem Quia cum avisamento et consensu charissimi nostri consanguinei Johannis Comitis de Mar domini Erskein etc. regni nostri regentis dedimus concessimus et disposuimus preposito ballivis consulibus et communitati burgi nostri de Irwin et eorum successoribus imperpetuum omnes et singulas terras tenementa domos edificia ecclesias capellanias pomeria ortos croftas annuos redditus fructus devoria proficua emolumenta firmas elemosinas lie daill silver obitus anniversaria quecunque que quovismodo pertinuerunt aut pertinere dinoscebantur ad quoscunque capellanias altaragia prebendarias in quacumque ecclesia capellania aut collegio infra libertatem dicti nostri burgi de Irwin fundata seu fundatas per quoscunque earundem patronos in quarum possessione capellani et prebendarii perprius fuerunt ubicumque predicte domus edificia tenementa pomeria horti annui redditus anniversaria fructus proventus et emolumenta jacent aut prius levata erant respective infra predictum nostrum burgum et libertatem ejusdem jacentes ac etiam sex bollas multure lie suckin que fratribus Carmelitis dicti nostri burgi de Irwin pertinuerunt et ab eis levabantur de terris de Ormisheweht Riddinghill et Hoilhous infra baleatum de Cunygham jacentibus et omnes alios annuos redditus qui dictis fratribus perprius pertinuerunt infra predictum nostrum burgum et libertatem ejusdem jacentes Ac etiam cum avisamento prescripto unimus et incorporamus omnes et singulas predictas terras tenementa domos edificia ecclesias capellanias pomeria hortos croftas annuos redditus fructus et devoria predicta cum suis pertinentiis in unum corpus deinceps et imposterum appellandum fundatio nostra Scole de Irwin Volumus etiam quod unica sasina per predictos prepositum et ballivos aut eorum quemlibet apud pretorium dicti nostri burgi semel accepta tam sufficiens erit sasina perpetuo infuturum ac si eadem super particulares terras ad dictos prebendarios capellanos et fratres pertinentes accepta extitisset non obstante locorum distantia prout in carta nostra desuper confecta latius continetur Vobis precipimus et mandamus quatenus dictis preposito et balivis aut eorum cuilibet vel suis certis actornatis latoribus presentium sasinam omnium et singularum prefatarum terrarum tenementorum domorum edificiorum pomeriorum hortorum annuorum redditum anniversariorum fructuum proventuum et emolumentorum firmarum elemosinarum lie daill silver obitum ecclesiarum et capellaniarum predictarum cum earundem pertenentiis secundum formam et tenorem carte nostre quam de nobis inde habent juste haberi faciatis et sine delatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim ballivis nostris de Conygham in hac parte committimus potestat[em] Datum sub testimonio nostri magni sigilli apud Letham octavo die mensis Junii anno Domini millesimo quingentesimo septuagesimo secundo et regni nostri quinto Post cujusquidem precepti sasine perlecturam et publicationem prefatus Hugo Nevein ballivus in hac parte de Conygham in eodem precepto specialiter constitutus ad pretorium dicti burgi de Irwin accessit virtute et vigore sui predicti baliatus officii propriis suis manibus statum et sasinam hereditariam pariter et possessionem corporalem et actualem et realem omnium et singularum prefatarum terrarum tenementorum domorum hortorum croftarum edificiorum pomeriorum annuorum reddituum anniversariorum fructuum proventuum emolumentorum firmarum elemosinarum lie daill silver obitum ecclesiarum et capellaniarum predictarum ac etiam prefatarum sex bollarum lie suckin cum singulis suis earundem pertinentiis ubicumque jacentium memorato Hugoni Campbell urbis prefecto dicti burgi de Irwin pro se ballivis consulibus et communitate dicti burgi et successoribus suis pro perpetuo in futurum per terre et lapidis ut moris est traditione[m] secundum tenorem predicte carte et precepti sasine suprascripte hereditarie dedit contulit et deliberavit imperpetuum Super quibus omnibus et singulis sic premissis prefatus Hugo Campbell urbis prefectus a me notario publico subscripto sibi fieri petiit instrumenta publica unum aut plura Acta erant hec apud predictum pretorium dicti burgi horam circiter nonam ante merediem sub anno die mense et regno quibus supra presentibus ibidem Wilelmo Conygham David Conygham Johanne Moriall Wilelmo Conyghame fullone Thoma Cuming Roberto Scott Johanne Tweid Johanne Nevein Allano Rois conburgensibus dicti burgi cum diversis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego vero Gavinus Nasmytht clericus Glasguensis diocesis publicusque perprius auctoritate Apostolica notarius, etc.

ABSTRACT.

Instrument of Sasine narrating that in presence of a notary and witnesses an honourable man, Hugh Campbell, provost of the burgh of Irvine, delivered a royal precept of Sasine under the quarter seal to Hugh Nevein, burgess of the said burgh, specially nominated and appointed in the said precept, and besought the said bailie to execute the same, who delivered it to the notary to be read, being Precept of Sasine by James, King of Scots, directed to his bailie of Cunyghame and his deputes, and to Hugh Nevin, Peter Brown, and either of them, his bailies of Cunyghame in that part, on the narrative that with consent of John Earl of Mar Lord

Erskin, etc., regent of the kingdom, he had granted and disponed to the provost, bailies, councillors and community of his burgh of Irvine and their successors for ever, all and sundry lands, tenements, houses, buildings, churches, chaplainries, orchards, gardens, crofts, annualrents, fruits, duties, profits, emoluments, maills, alms, daill silver, obits and anniversaries, which formerly belonged to any chaplainries, altarages, prebendaries, founded in any church, chaplainry or college within the liberty of the said burgh of Irvine, by any patrons thereof, in possession of which the chaplains and prebendaries formerly were, wherever the same lay within the said burgh and liberty thereof, and also six bolls of multure (suckin) which pertained to the Friars Carmelites of the said burgh, and were uplifted by them from the lands of Ormisheucht, Riddinghill, and Hoilhous, in the bailiary of Cunyghame, and all other annualrents which belonged to the said friars within the burgh and liberty thereof: The king also with advice foresaid united and incorporated all the foresaid lands, tenements, etc., into one corporation, to be called in all time coming the Foundation of his School of Irvine: Willing further that a single seizin to be taken at the tolbooth of the burgh should be sufficient, as more fully contained in the charter made thereupon: Given under the quarter seal at Leith 8th June 1572. On reading of which precept the said Hugh Nevein, bailie in that part, passed to the tolbooth of the burgh, and gave sasine of the foresaid lands, etc., to the said Hugh Campbell, provost of the burgh, for himself, the bailies, councillors and community of the said burgh for ever, about nine o'clock before noon on 4th October 1574: Witnesses, William Conygham, David Conygham, John Moriall, William Conygham, fuller, and other burgesses: Gavin Nasmyth, clerk of Glasgow diocese, notary.

22. *Receipt by the Chamberlain of Kilwinning to the Burgh of Irvine, for the teind duty of half a tun of wine for the Bogflats.—28th October* 1577.

I, James Conyghame, Chalmerlane of Kilwinning, grantis me to haif resavit fra the handis of the provest and bailzeis of the burgh of Irwin for thaimselffis and the remanent communite of the said burgh payment for the twa part of ane tunne of wynne for thair teindis of the Utir and Inner Bogflattis of the cropt and yeir of God I^{m} v^{c} lx saxtene yeiris Off the quhilkis payment of wynne abone specifeit for the teindes of the Utir and

Inner Bogflattis of the cropt abone writtin I grant me weill content satefeit and payit and of all uthiris yeiris preceiding the said yeir sene I wes chalmerlane be this discharge subscrivit with my hand at Irvin the xxviij day of October the yeir of God I^m v^c lx sevintene yeiris, befoir thir witnes Thomas Essat messinger, Johne Kirkvod, Gawand Nasmyth viccar of Drygarne.

James Conyghame,
Chalmerlane of Kilvynnyng.

23. *Contract between the Town of Irvine and Mr. William Strang their Minister.—August* 1583.

It is finallie agreit concludit and endit betuix thir parteis following that is say betuix the provest baillies and towne of Irving upone the ane part and Mr. William Strang minister of Goddis word on the uther part, that is to say, the said Mr. William is content to accept upone him the office of ane pastour to the said towne and bindis and oblisis with Goddis grace faithfullie to discharge the said office in preching the word to thame in ministratioun of the sacramentis in execution of the disciplin of the said kirk in geving general or particular admonition and instructionis as neid requyres and in doing al uther thingis perteining to his office of ministerie and speciallie in teching twyse everie Sonday publicle in ordinar teching likwyse upone the Waddinsday and Fryday ~~at leist in noting upone the exerceise in the second place or third place in absens of utheris or utherwise suppleing the place of exerceise~~[1] as neid requyris For the quhilk cause the said provest bailleis and towne being weil content with the said minister bindis and oblisis them reverentlie to heir and resave the word of God fra the mouth of thair said minister to subject themselfis thairto and to the disciplin of Chrystis Kirk in all pointis as it is establisit within this realme according to the actis of general and sinodal assemblies and presbitereis and never to solist nor requeist him in the contrar in favouris or in respect of ony persone or personis quhatsumever but rather gif thay or ony of them offend aganis the law of God or aganis the said disciplin of Chrystis Kirk thay ar content in that caise to be frelie admonisit be thair said minister and to obey his godlie admonitionis and for the better execution of disciplin to cheise ane sufficient number of elderis of the maist honest and godlie men within the said citie quhilk being lauchfullie chosin sal conven ouklie with the said minister to assist him with consal and to governe the kirk and keip the samin in guid ordour and sal continew in the said office faithfullie and diligentlie serving be coursis as maist commodiouslie thay may be devydit Item the said provest and bailleis promittis faithfullie to assist and hald hand to the said minister and elderis for mantenans of the disciplin of said kirk and to punise vicis according to the godlie actis of parliament maid thairanent and according to the example of the best reformed kirkis within this realme and speciallie to punise the contemneris of the word and sacramentis and al them that wilfullie and obstinatlie absentis themself from the preching of the word cheiflie upone the Sabbath day Finallie to assist mantein and defend thair said minister in al thingis perteining to his ministerie that he doing his dewtie be nocht contemnit and to fortifie and help him according to thair power to obtein his stipend and dewtie that salbe assignit to him in his assignation and failing thairof to support and provyd for him upon thair awin chargis gif that utherwayis he can not obtein his stipend be the law and likwyse to repair the kirk and kirkyard and use the samin according to the richt use thairof conforme to the best reformit kirkis within this contrie betuix the day and dait heirof and Candelmes nixtocum that the place of burial may be honestlie keipit fra horse swyne and uther bestial and that na burial be usit in the said kirk and finallie to reforme themselfis in al thingis according to the exampil of the best reformit kirkis within this contrie and to provyd ane sufficient ~~manse and yard to the said minister upon thair charges~~ dwelling-house and yard to the said minister or to pay the mail thereof he provyding the samyn himself as he plesis best and for the fulfilling of the premissis baith the saidis parteis ar sworne everie ane to uther and hes subscrivit thir presentis with thair handis at Irving the day of August the yeir of God 1583.

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[1] The words scored are thus in original, as also those on next page.

Mr. Wm. Strang, minister of Goddis word with my hand.

24. *Discharge by James Cuninghame of Montgrenan to Ninian Barclay, Provost of Irvine, for the Teinds of the Burgh lands of Bogfaulds.*—*4th August* 1602.

I, James Cuninghame of Mongrenane takisman of the teindis of Uttir and Inner Bogfauldis within the territorie of the burgh of Irwein grantis me be the tennour heirof to be sufficientlie satisfeit and payit be Niniane Barcley provest of the said burgh of Irwene for himselff and in name and behalf of the rest of the burgessis and communitie of the said burgh for thair saidis teindis of thair saidis landis of Inner and Utter Bogfauldis of the cropt and yeir of God j^{m} sex hundreth and ane yeiris last bypast And thairof I for me my aires executouris and assignayis exoneris and simpliciter dischergis the said burgh of Irwene haill burgessis and inhabitantis thairof for ever And quhilk acquittance and discherge I as principall and Jhone Blair of that ilk cautioner and souertie for me obliss us our aires executouris and assignayis conjunctly and severally to warrand to be gud valid and sufficient in the selff and for the mair securetie we ar content and consentis thir presentis be insert and registrat in the buikis of counsell to have the strenth of ane act and decreit of the lordis thairof and executoriallis to be direct thairupoun of ane sempliciter of sex dayes allanerlie and for that effect we constitut our procuratouris in uberiori forma, etc. In witnes quhairof thir presentis wrettin be Hew Garven clerk of Irwene we have subscryvit the samin with our handis as followes at Irwein the fourt day of August the yeir of God j^{m} sex hundreth and twa yeiris Befoir thir witnessis the said Hew Garven William Patoun John Quhytfurd burgessis of Irwein and Niniane Cunynghame servitour to me the said James.

Mr. J. Cunighame of Montgrinen.
J. Blair of that ilk cationer.

H. Garven *witnes.*
Jhonne Quhytfurd *witnes.*
William Patoun *witnes.*

25. *Discharge by James Cuninghame of Montgrenan to the Magistrates of Irvine, for the Teinds of the Bogfaulds.*—21*st June* 1603.

I, James Cuninghame of Mongrenane takisman of the teindis of Uttir and Inner Bogfauldis within the territorie of the burgh of Irwein grantis me be the tennour heirof to be sufficientlie satisfit and payit be Archebald George proveist William Patoun and Alexander Dunlope bailleis of Irwein for thameselffis and in name of the haill commwnitie of the said burgh ffor thair teindis of the said landis of Inner and Uttir Bogfauldis of the cropt and yeir of God j^{m} vj^{c} and twa yeiris last bypast and thairof I for me my ares executouris and assignayis exonouris and simpliciter discharges the said burgh of Irwene haill burgessis and inhabitantis thairof for evir And quhilk acquittance and discharge I as principall and Johnne Blair of that ilk cautioner and souertie for me ffaithfullie bindis and oblissis us our ares executouris and successouris

conjunctlie and severallie to warrand to the said burgh of Irwene and thair successouris to be gude valid and sufficient and for the mair securitie we ar content and consentis thir presentis be insert and registrat in the buikis of counsell to have the strenth of ilk ane or onie ane of thair decreitis and executoriallis of poinding warding and horneing on ane semple cherge of ten dayis allanerlie to pas heirupoun and for that effect we mak and constitute our procuratouris in uberiorj forma, etc. In witnes quhairof thir presentis wreitin be Hew Garven burgh clerk of the said burgh we have subscryvit the samin with our handis at Irwene the xxj day of Junij the yeir of God j^{m} vj^{c} and thrie yeiris befoir thir witnessis Mr. Alexander Skynner minister of the said burgh Mr. William Wallace skulemaister thairof and the said Hew Garven.

J Cuninghame of Montgrinen

Mr. Alexander Scynner *witness.*
Mr. William Wallace schulm^{r} *witness.*
H. Garven *witnes.*

26. *Discharge by James Cuninghame of Mongrenan for the Teinds of the Bogfaulds.—30th January* 1605.

I, James Cuninghame of Mongrenane takisman of the teindis of the landis of Bogfauldis perteneing to the burgh of Irvene grantis me to be satisfeit be Archebald George provest William Patoun and Alexander Dunlope baillies of the said burgh for thameselffis and in name of the haill communitie for thair teindis of thair landis foirsaid of the cropt and yeir of God j^{m} vj^{c} thrie yeiris last bypast and thairof for me and my ares executouris and assignayis exonouris and dischergis the said burgh for evir and I oblis me to warrand this discherge to be gude and sufficient In witness quhairof (thir presentis wrettin be Hew Garven clerk of the said burgh) I have subscryvit the samin

with my hand as followis at Montgranen the penult of Januar the yeir of j^m vj^c and fyve yeiris befor thir witnes Jhone Stewart scheref off Buit Adam Fairlie of Bog Jhone Hervie burgesse of Irwin.

Mr. J. Cunighame of Montgrinen.

Jehone Stewart Shireff

Adame Fairlie *witnes.*
Jhonne Hervie *witnes.*

27. *Discharge by James Cuninghame of Montgrenan for the Teinds of the Bogfaulds.—26th June* 1605.

I Maister James Cuninghame of Mongrenane grantis me be the tennor heirof to be fullelie satisfeit and compleitlie payit be Archebald George provest of Irwene for himselff and in name of the haill burgh off thair teindis of Uttir and Inner Bogfauldis the said burghis landis belanging to me in tak assedatioun and that of the cropt and yeir of God j^m vj^c and four yeiris last bypast off the quhilkis I exonour and simpliciter discherge the said burgh be thir presentis for now and evir and obliss me my ares executouris and assignayis to warrand this discherge to be gude and sufficient In witnes quhairof thir presentis (wrettin be Hew Gerven court clerk of Irvene) I have subscryvit the samin with my hand at Irvene the tuentie saxt day of Junij the yeir of God j^m vj^c fyve yeiris befoir thir witnessis Thomas Boyd of Bowinschaw Alexander Boyd in Kilmernok Hew Scot burges of Irvene and the said Hew Garven.

Mr. J. Cunigame of Montgrinen.

Hew Scott *witnes.*
Alexr. Boyd *witnes.*
H. Garven *witnes.*

Thomas Boyd witnes

28. *Discharge by Mr. James Cuninghame of Montgrenan for the Teinds of the Bogfaulds.—30th May* 1606.

I, Maister James Conynghame of Montgrenane taxman of the teindis of the toun landis of Irving Granttis me be the tennour heirof to be compleitlie satisfeit and payit be the provest bailleis counsell and communitie of the toun of Irving of the haill teind bollis victuell and all utheris teindis and dewteis quhatsumevir addetit be thame to me furth of thair landis of Inner and Outter Bogefauldis and all utheris thair burrow landis of the crope and yeir of God j^{m} sex hundreth and ffyve yeiris last bipast and for me and my successouris exoneris and simpliciter discharges the saidis provest bailleis counsell and communitie foirsaidis and thair successouris of the samin be thir presentis for ever and sall warrand this present discharge to be gude and sufficient in the selff at all handis and aganes all deidlie Lyik as we the provest bailles counsell and communitie foirsaid exoneris and simply discharges for us and our sucessouris the said Maister James his aires and successouris of the communion wyne beitting and uphalding of our queir astrictit to be payit and done be him to us yeirlie and that for the foirsaid crope and yeir of God j^{m} vj^{c} and fyve yeiris be this our acquittance subscryvit with our handis at Irvene the penult day of Maij j^{m} sex hundreth and sax yeiris befoir thir witnessis Alexander Coninghame Hew Scott and Johnne Neilsoun wryter of the premissis burgessis of Irwene.

Mr. J. Cunigame of Montgrinen.

Hew Scott as *witnes.*
Alexr. Cunyngham *witnes.*
Johnne Neilsoun *witnes.*

29. *Obligation by the Magistrates of Irvine to provide Mr. David Dickson, their Minister, with a sufficient Manse and Glebe.*—15*th February* 1631. [Copy.]

Be it kend to all men by thir present Letters Allan Dunlop Provost of the burgh of Irvine Alexander Cunninghame of Collelan and James Blair baillies of the same for ourselves and with express advice and consent of the Councill of the said burgh under-subscribers hereof and we the said Provost Baillies and Council taken the burden on us for the community of the said burgh that forasmeickle as an noble and potent Lord Alexander Earle of Eglintowne Lord Montgomerie, etc., our patron of the Kirk of Irving is carefull and desireous that Mr. David Dickson our minister of the said kirk and present server of the cure thereat and who was presented thereto by his Lordship self (and who is for the present altogether destitute of ane Manse and who has not for the present sic an sufficient and competent Glebe as he ought to

have and is appointed and prescribit by the Acts of Parliament) should be sufficiently furnisht and providit thereintill according to the equity His Majesty's Acts of Parliament laws and practice of this realm and that the said Mr. David himself should not be in any sort troublit disquietit or distractit from the charge and cure at the said kirk in purchasing and procuring of the said Manse and remanent of the said Glieb whereintill he is for the present deficient and inlaikand and that the same should be procurit and obtainit by us to him by law the said noble Earl himself as patron countenancing us thereintill in causing his Lordship's Procurators pleid the same in the name of the said Mr. David (we as having the nearest and most special interest thereintill) to see our said minister providit in the same bestowand the charges and expences thereof giff so be that these having kirk lands within the parochin next adjacent to the said kirk of the whilk the said Gleib so meickle thereof as the inlaikand should be properlie taken and laid by the said Acts of Parliament will not willingly give the same off their said kirk lands to the said minister conform to the designation to be made and given to him off the same and we not only being most willing of ourselves that our said Minister should have his said Manse and what is inlaicking to him off the said nearest kirk lands to the said kirk furth of the whilk the same is due and that our said Minister should not be distracted from his said charge and function and disquietit in pleading of the same by law whereintill we ar asured he is far more refractory and would rather want the same than to pled by law or offend in any sort any within the said parochin having their particular interest in the said kirk lands for the same But being also willing to give to the said noble Lord our patron foresaid satisfaction in his said so reasonable ane desire the same tending to the guide peace and quietness of our said Minister whom we are always bound to regard Thairfore and for divers other guide causes and considerations moving us to the effect under written we by thir presents faithfully bind us and our successors to furnish and provide to the said Mr. David our Minister foresaid ane sufficient Manse at the least to give to him satisfaction and contentment therefor as also gif the Heritors of the said kirk lands next adjacent to the said kirk furth of the whilk so meikle as is inlaiking to him of the said Gleib is due will not willingly lay the same off to him conform to his designation to be made and given to him of the same that we shall by our own means and upon our own charges with sic guidely diligence as may be procure and obtain to him so meikle of his said Gleib off the said kirk lands or sic other lands as appertains out of the whilk the same shall be founden to be proper and due and get him possessed by law thereintill the said noble Lord our patron foresaid always countenanceing us thereintill by his said Procurators in the pursuit by law thereof upon our charges as said is the said Mr. David having likewise gotten lawfull designation of so meikle of the said other lands whereof he is inlaiking as will stand and subsist in law and in procuring and obtaining whereof we shall give to him our help aids and concurrence As also the said Mr. David lending his name in the said pursuit to the full and final end and decision of the same And hereto we bind and oblige us and our foresaids in the surest manner to the said noble Lord for performance of the same in all points after the form and tenor in all points and for the mair security we and for our successors are content and consentis thir presents be insert and registrate in the Books of Council and Session to have the strength of an Decreet of the Lords interponed thereto that Letters and Executions of Horning may pass hereon if need be in form as effeirs and for that effect we constitute our lawful procurators promittentes de rato In witness whereof written by Matthew Gemmill servitor to Robert Brown Town Clerk of Irvine we have subscribed thir presents with our hands as follows at the said Burgh of Irving the fifteine day of February j^{m} vj^{c} and thretty-ane years before these witnesses Neil Montgomerie of Langshaw John Montgomerie of Hugh Niven of Monkridding and William Dunlop younger of

Allan Dunlop *Provost.*
James Blair *Baillie.*
A. Cunninghame.

The four witnesses above named also sign here: and four Councillors whose names cannot be written down with accuracy.

Edinburgh, 5th December 1806.

The above is a true copy of the original deed.
John Anderson, *N.P.*

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30. *Receipt by Alexander Earl of Eglinton to Robert Barclay of Pearston, for Teind Meal.—23d June* 1642.

We, Alexander Earle of Eglintoun be the tennour heirof grant us to haif ressaved ffra Robert Barclay of Pearstoun reall and compleat payment of all and haill threttie-tua bollis teind meill dew be him to us out of his lands lyand withine the parochin of Pearstoun pertening to the said Robert heretablie and that of the crops and yeiris of God j^{m} vj^{c} threttie-sevin vj^{c} threttie-eight vj^{c} threttie-nyne and vj^{c} and fourtie yeiris yeirlie and ilk yeir Off the quhilkis threttie-tua bollis addebted to us yeirlie and ilk yeir the yeiris of God abone writtin we grant the ressait fra the said Robert Barclay and thairfoir exoner quyteclame and simpliciter discharge the said Robert Barclay his aires executoris assigneyis and all utheris quhome it effeiris of the samyn except allanerlie of sua meikill of the teinds of the saids lands as is adebted and dew to the Minister of Pearstoun for the saids yeares To the quhilk this our present acquittance is declared heirby nawayes to be extended Providing alwayes that the said Robert Barclay freith and releive us of all annuitie and taxations dew for all the saids teindis of the saidis haill yeiris mentionat in this our present acquittance and discharge be thir presentis subscryveit with our handis at Eglinton the tuentiethrid day of Junij j^{m} vj^{c} fourtie-tua yeares befoir thir witnessis Eleazar Maitland and David Andersone our servitouris.

David Andersone *witnes.*
Eleazer Maitland *witnes.*

Eglintoun

31. *Reasons assigned by Mr. Patrick Warner, Minister of Irvine, for demitting his Charge.—28th July* 1702.

To the Reverend the Moderator and remanent brethren of the Presbyterie of Irving their brother Mr. Patrick Warner Minister of Irving wisheth Grace, Mercy, and Peace may be multiplied.

It is not unknown to many in this Presbyterie how heavy the charge of this Congregation hath bein to me for a long tyme and what reasons I have to give in a dimission thereof which also I have some tyme offered but hitherto have not been taken off my hand And now I am therefore constrained more earnestlie to presse the same for these reasons following :—

1°. I never wes legallie settled Minister of Irving. Having entered amongst them before our legall settlement to preach only in a meeting-house to so many as then called me which I then looked upon to be only for ane interim and did not expect the libertie wee then had would have continowed above a year or two, and if I had thought it would have bein of longer continowance would never have undertaken so heavy a charge.

2°. My acceptance even of that call wes upon condition and assureance given me that I should have a helper (for which I refer to the records of the Presbyterie ane extract quhairof is herewith produced) But that condition not having bein fullfilled dureing the whole space of 14 years (though they have now the legall stipend of which they had no prospect when that promise wes made) I am no more bound by my acceptance of that Call which wes but for ane interim and upon that condition.

3^{tio}. Having latelie perused the Call given I find more then the one half of these who subscribed it either dead or removed out of the place, and near the one half the whole families removed so as neither they nor any of their posterity to be found in the place.

4^{to}. Others are come or brought into their roume, the outcasts of all the parishes about and some from very remote places, either altogether without Testimonialls or bringing very lame ones And though I have bein for many years complaining of this to the Magistrats yet hitherto have had litle or no redresse att all But on the contrary they have received such as Burgesses whom the Session unanimouslie voted should not be received as members of the Congregation, so that a relation of Pastor and people is made up between me and a great many of the present inhabitants of Irving by meer force and compulsion without allowing me the libertie of giveing my consent thereto, which yet I conceive is necessary to make up that relation.

5^{to}. My hands are not strengthened in the suppressing of sin and wickedness : But these too much encouraged by connivance and otherwayes.

6^{to}. I am now aged above 60, my strength decayed, and my voice too weak for so numerous a congregatione.

7°. I am not willing to mention other greiveances. Some of them are known to this Presbyterie. But, in short, animosities are come to so great a height (though I hope I can vindicate myself as having given no just provocation thereto) that neither can I expect that the Gospel will be received kindly off my hand by some, nor have I freedom to administer the Sacrament of the Lord's Supper amongst them while these remain Yea, my hands are much weakened in preaching of the Gospel.

To these reasons I crave libertie to add more if neid be.

And in the meantime doe not press this Presbyterie to any inordorly procedure in the affair But allow them to intimate to the Congregation that I have here given in such reasons for the Presbyterie's acceptance of my dimmission and requyre them to give in their ansuers thereto if they have any against the next Presbytery day. But withall earnestlie obtest the Presbyterie to doe me justice when they have considdered how weighty and relevant my reasons are.

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1649

APPENDIX

Charter by Robert I. to Robert the Steward, Son and Heir of Walter, Steward of Scotland, of the Barony of Cuninghame.[1] — *The Charter is undated.*

Robertus, etc. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Roberto Senescallo filio et heredi Walteri Senescalli Scocie pro homagio et servicio suo omnes terras nostras de Cunyngham tam infra burgum quam extra: Habendas et tenendas predicto Roberto et heredibus suis de corpore suo legitime procreandis de nobis et heredibus nostris in feodo et hereditate sine aliquo retinemento in liberam baroniam cum furca et fosso sok et sak tol et theme et infangthef et cum advocacionibus ecclesiarum patronatibus abbathiarum homagiis et serviciis omnium liberetenencium cujuscunque status seu condicionis cum feodis et forisfacturis contingentibus tam tempore pacis quam guerre cum bondis bondagiis nativis et eorum sequelis et cum omnibus commoditatibus libertatibus aisiamentis et pertinenciis suis in omnibus et per omnia tam non nominatis quam nominatis ad dictas terras et baroniam pertinentibus seu aliquo jure vel titulo pertinere valentibus ita libere et quiete plene pacifice et honorifice sicut quondam domini dictarum terrarum et baronie eas liberius quiecius aut honorificencius de predecessoribus nostris regibus Scocie aliquo tempore in omnibus tenuerunt vel tenere potuerunt: Faciendo nobis et heredibus nostris in communi exercitu nostro servicium trium militum et sectam curie ad curiam nostram de Are cum accederit pro omnibus aliis serviciis seu demandis que de dictis terris et baronia cum pertinenciis aliquo modo exigi poterunt seu demandari a quocunque: Et si contingat ipsum Robertum sine herede de corpore suo legitime procreando in fata discedere, quod absit, volumus et concedimus quod omnes predicte terre et baronia cum omnibus suis pertinenciis Waltero Senescallo Scocie patri predicti Roberti et heredibus suis in omnibus ut predictum est libere et integre remaneant in perpetuum. In cujus etc.

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[1] *Reg. Mag. Sig. Rot. I.*, No. 54.

Translation.

Robert [by the grace of God, King of Scots, to all good men of his whole realm, greeting]. Wit ye us to have given, granted, and by this our present charter to have confirmed, to our lovite cousin Robert the Steward, son and heir of Walter the Steward of Scotland, for his homage and service, all our lands of Cunyngham, as well within burgh as without: To be had and holden to the aforesaid Robert and his heirs lawfully to be procreated of his body, of us and our heirs, in fee and heritage, without any withholding, in free barony, with gallows and pit, sok and sak, tol and theme, and infangthief; and with advocations of churches, patronages of abbacies, homages and services of all free tenants of whatsoever state or condition, with fees and forfeitures happening as well in time of peace as of war, with bonds, bondages, natives, and their sequels, and with all commodities, freedoms, easements, and their pertinents in all and through all, as well not named as named, pertaining or that may by any right or title come to pertain to the said lands and barony, as freely and quietly, fully, peacefully, and honourably in all respects as the former lords of the said lands and barony held or might at any time hold the same of our predecessors, Kings of Scotland: Doing therefor to us and our heirs the service of three knights in our common army, and suit of court at our court of Ayr, when it shall happen, for all other services or demands which can in anyway be exacted or demanded by anyone from the said lands and barony, with the pertinents: And if it should happen the said Robert to decease without heir of his body lawfully procreated (which God forbid), we will and grant that all the aforesaid lands and barony, with all their pertinents, remain freely and wholly for ever to Walter the Steward of Scotland, father of the aforesaid Robert, and his heirs, in all respects as beforesaid. In witness whereof, etc.

Skelmorlie Aisle.

Plate VIII.

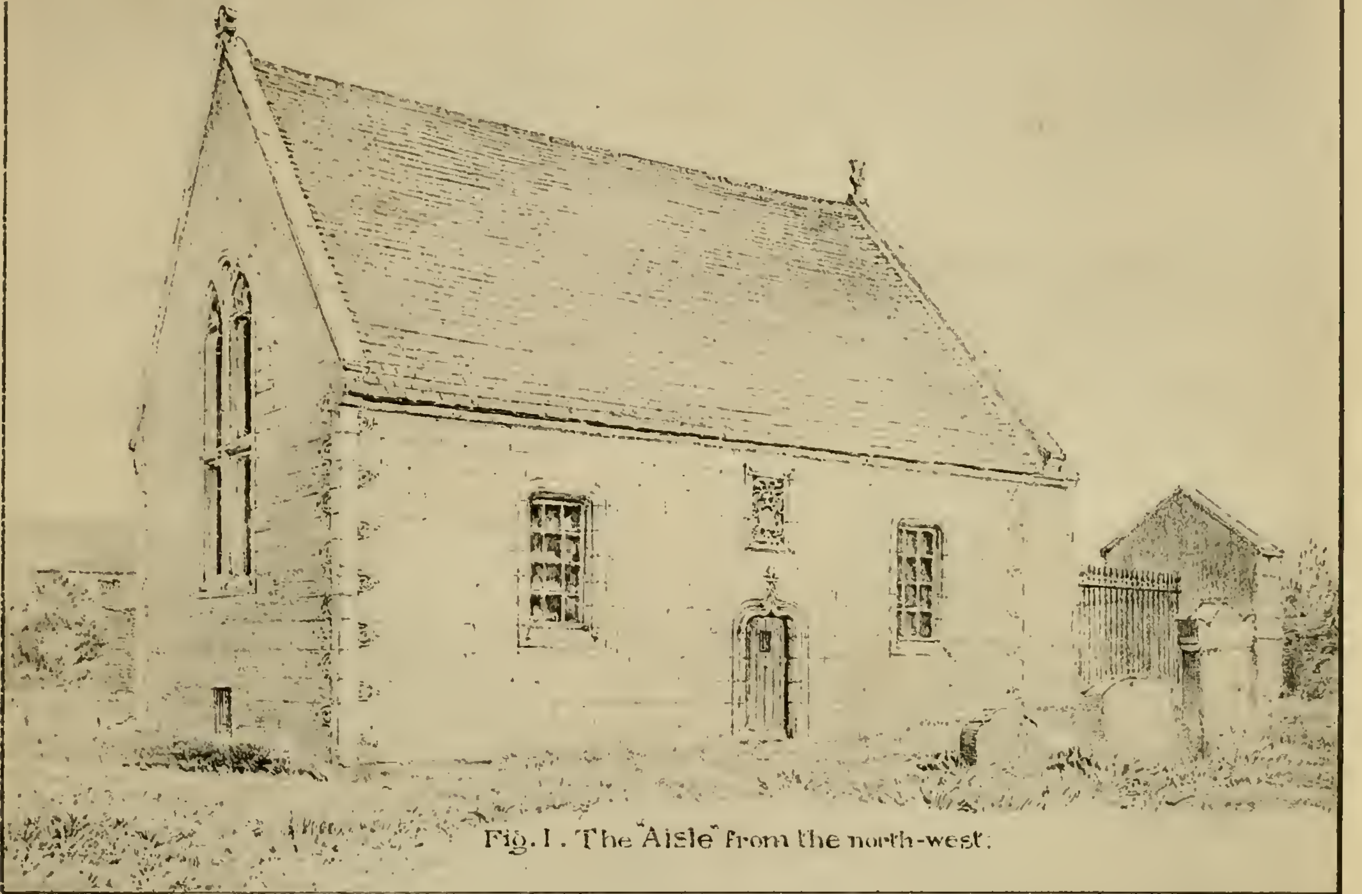


Fig. 1. The "Aisle" from the north-west.

Fig. 2. Panel and top of Doorway.

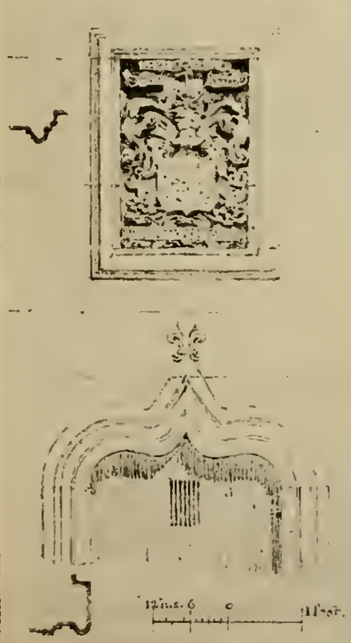
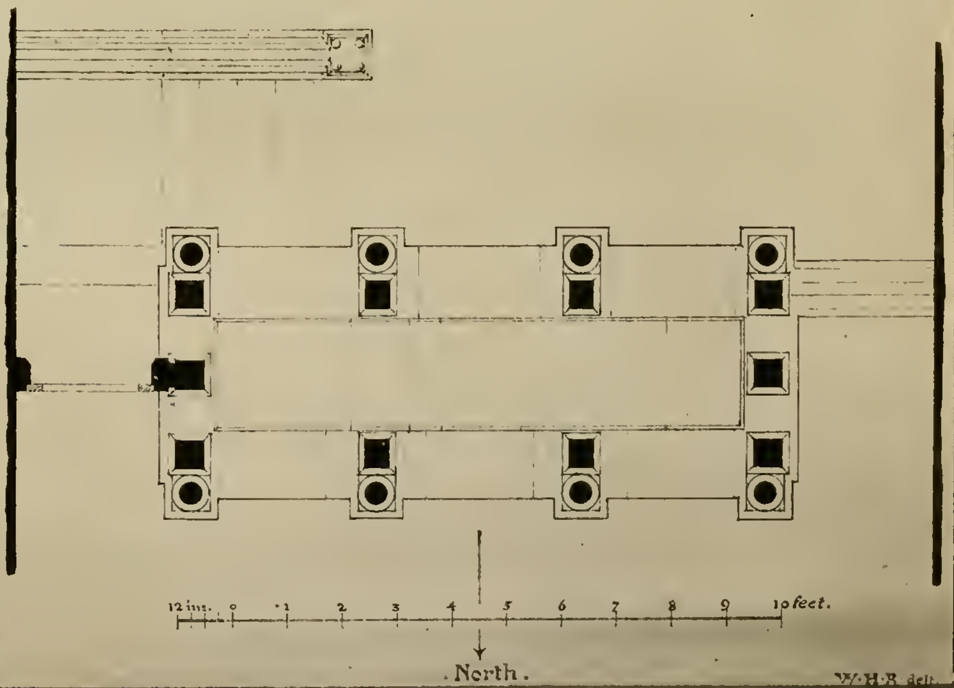

12ins. 6 0 1 Foot.

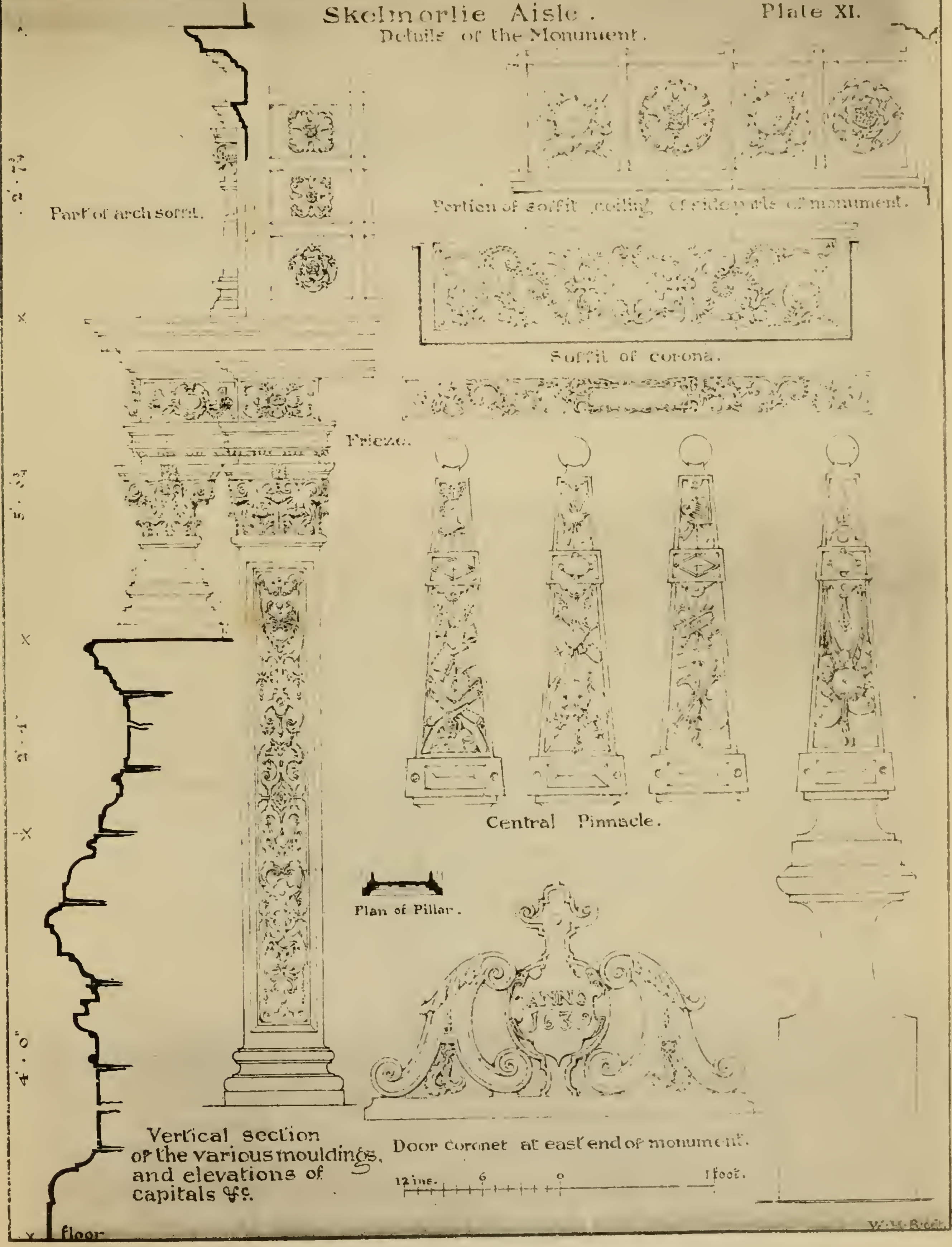
Fig. 3. Plan of the Monument.


12 ins. 0 1 2 3 4 5 6 7 8 9 10 feet.
North.
W. H. B. delt.

Skelmorlie Aisle.

Details of the Monument.

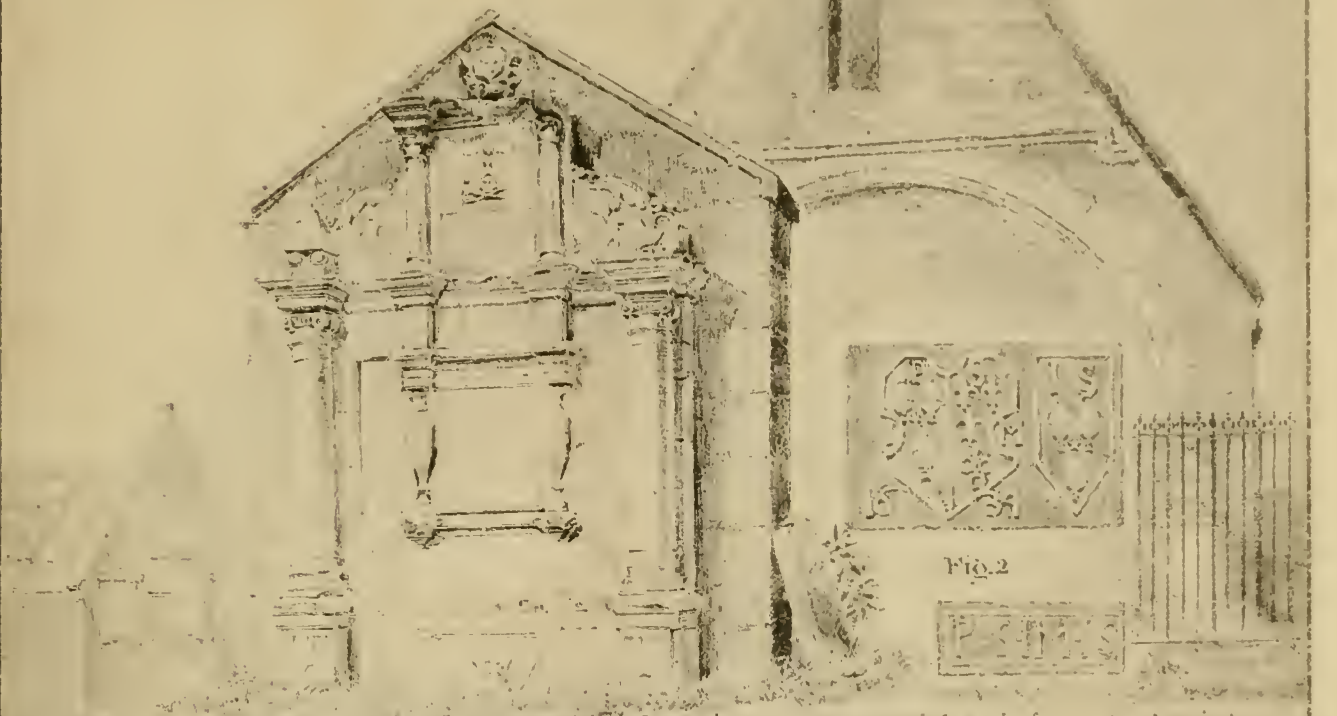
Plate XI.


Part of arch soffit.
Portion of soffit ceiling of side parts of monument.
Soffit of corona.
Frieze.
Central Pinnacle.
Plan of Pillar.
ANNO 1639
Door coronet at east end of monument.
Vertical section of the various mouldings, and elevations of capitals &c.
12 ins. 6 0 1 foot.
floor
W. M. B. del.

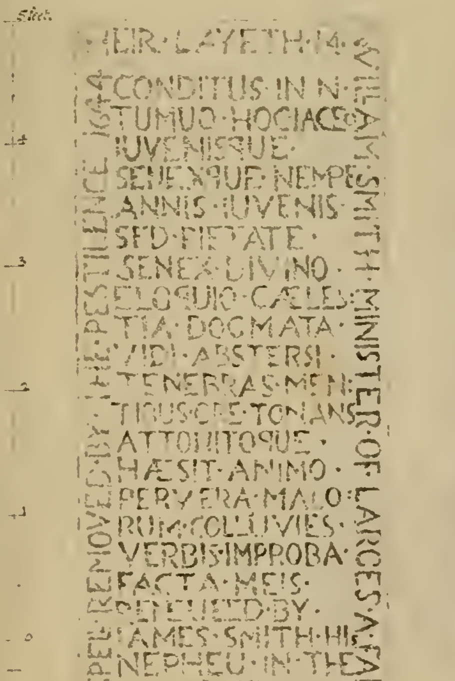
Ayr and Galloway Arch^{l} Assoc^{n}. 1889

Skelmorlie Aisle.

Plate XII.



View in church yard looking north shewing Fig.1. The Boyle monument and Fig.2. armorials of the Shaw Family on the Brisbane vault to the left.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TUMULO·HOC·IACEO·
IUVENISQUE·
SENEXQUE·NEMPE·
ANNIS·IUVENIS·
SED·PIETATE·
SENEX·DIVINO·
ELOQUIO·CÆLES·
TIA·DOGMATA·
VIDI·ABSTERSI·
TENEBRAS·MEN·
TIBUS·CEU·TONANS·
ATTONITOQUE·
HÆSIT·ANIMO·
PERVERA·MALO·
RUM·COLLUVIES·
VERBIS·IMPROBA·
FACTA·MEIS·
RENEWED·BY·
IAMES·SMITH·HIS·
NEPHEU·IN·THE·
YEAR·1710·
WILLIAM·SMITH·MINISTER·OF·LARGES·A·FAITHFU
GOSPEL·REMOVED·BY·THE·PESTILENCE·1674

Fig.3 Ministers Tomb.

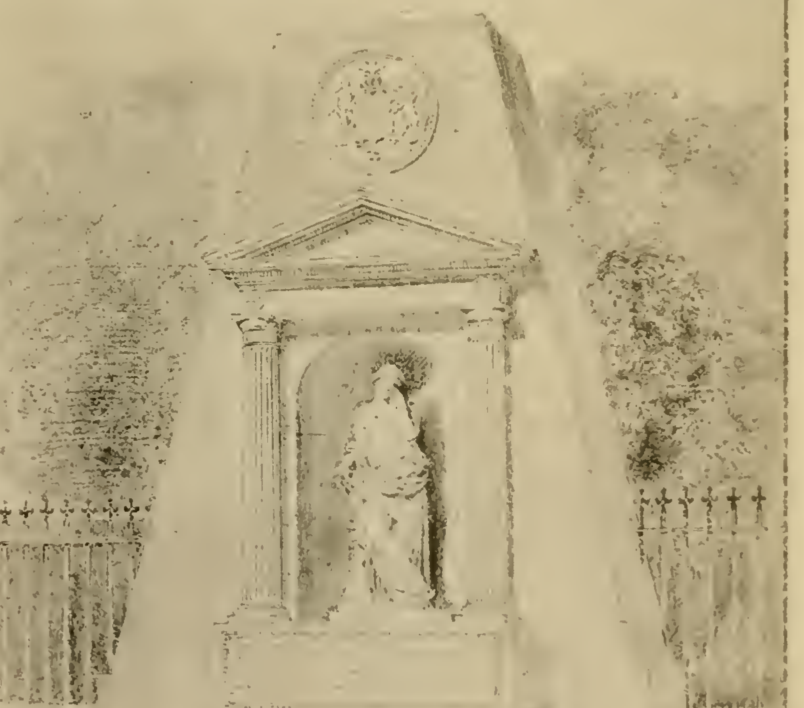

Fig.4. Monument in Kelburn to John Third Earl of Glasgow.

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